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President: Mr. Han Seung-soo ..... (Republic of Korea)

In the absence of the President, Mr. Sharma (Nepal), Vice-President, took the Chair.

The meeting was called to order at 3.05 p.m.

Agenda item 14

Report of the International Atomic Energy Agency

Note by the Secretary-General transmitting the report of the Agency (A/56/313)

The Acting President: I invite the Director General of the International Atomic Energy Agency, Mr. Mohamed ElBaradei, to present the report of the Agency for the year 2000.

Mr. ElBaradei: The International Atomic Energy Agency (IAEA) continues to play an important role as a catalyst for development and as a cornerstone for nuclear non-proliferation and nuclear safety.

I will speak briefly today about the IAEA's activities in terms of our three fundamental functions: to bring about the development and transfer of peaceful nuclear technologies, to build and maintain a global nuclear safety regime, and to prevent the proliferation of nuclear weapons and ensure the security of nuclear material and facilities.

I will begin with a subject to which the Agency has been devoting much attention in recent weeks — namely, the enhancement of our efforts to protect against nuclear terrorism.

The Agency has been at the forefront of encouraging States to make security an integral part of the management of their overall nuclear programmes; however, the attacks in the United States were a wake-up call to us all that more can and must be done. In the week immediately following the tragedy, the IAEA General Conference adopted a resolution that requested that I initiate a thorough review of Agency activities and programmes relevant to preventing acts of terrorism involving nuclear and other radioactive materials.

The Agency is engaged in a variety of activities relevant to combating nuclear terrorism, including programmes to ensure physical security, to help prevent and respond to illicit trafficking of nuclear material and other radioactive sources, to promote the safety of nuclear facilities, to safeguard nuclear material against non-peaceful uses and to respond to emergencies. In all these areas of activity, the Agency develops legal norms and guidelines, promotes international cooperation, provides expert advice, training and equipment and provides varying degrees of oversight. In the past few years, we have focused on increasing nuclear security cooperation among relevant organizations, including customs organizations, Interpol and other law enforcement organizations, national Governments and the Agency. We also have provided an expanding array of advisory services to States to assist them in upgrading nuclear safety, protecting nuclear material and facilities against theft and sabotage and managing and disposing of radioactive sources safely. We have also strengthened

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our verification system to cover both declared and possible undeclared activities.

We are reviewing in depth each of the programmes I just mentioned to identify additional measures that need to be taken in the light of recent events. In particular, we are considering expanding the scope and reach of many of our security and safety services. Equally, we will review existing conventions and guidelines — including the Convention on the Physical Protection of Nuclear Material — to ensure that they are comprehensive and effective, and we will make every effort to ensure that they are universally applied.

To enable the Agency to assist States that lack the resources to upgrade their security systems, we are also exploring the feasibility of establishing a fund for protection against nuclear terrorism. I trust that, in the light of the current threats, the development of an effective global system for protection against nuclear theft, sabotage and terrorism will be given the priority it deserves by all concerned. These are unconventional threats that require unconventional responses.

I will turn now to other Agency activities.

The rapid expansion in global energy demand — and the growing awareness of the need for sustainable development — has put increasing focus on the environmental consequences of burning fossil fuels. Nuclear power, which currently supplies about one sixth of global electricity, is the principal alternative that can in the foreseeable future provide electricity on a large scale with practically no greenhouse gas emissions.

The past 12 months have seen some positive developments for nuclear power. In terms of performance, we have continued to see strong safety practices, reduced generating costs and the first extensions of power plant licences to 60 years. Six new plants were connected to national electricity grids in the year 2000, and 33 more were under construction by the end of the year. Views on the future of nuclear power, however, are still mixed because of safety and non-proliferation concerns. For example, the United States Government's new energy policy gave an explicit endorsement to nuclear expansion, whereas the German Government concluded an agreement with the industry to phase out nuclear power. This mixed outlook has also been reflected in the conclusions reached on the role of nuclear power at major conferences on climate change and sustainable development.

It may be too early to forecast how the future will unfold for nuclear power. Clearly there is a new, substantive debate on the role of nuclear power and a recognition in many quarters that its merits as a source of clean energy cannot simply be ignored. Three crucial questions, however, will determine the future of nuclear power: whether it will continue to prove itself a safe technology; whether it can be effectively safeguarded against non-peaceful purposes; and whether it can be an economically competitive technology.

These questions are among the subjects for review by the Agency's newly established International Project on Innovative Nuclear Reactors and Fuel Cycles (INPRO), a project designed to support the safe, economical and proliferation-resistant use of nuclear energy to assist in meeting the global energy needs of the twenty-first century. For the nuclear option to remain viable, it is important that nuclear power technology, like other technologies, be enterprising and innovative.

Nuclear technologies provide preferred solutions — and sometimes the only solutions — to many economic and social problems. A major portion of our nuclear technology activities, therefore, concerns applications other than electricity generation. Through both its coordinated research projects and its technical cooperation programme, the Agency works to strengthen the scientific and technological capacities of its Member States and functions as a vehicle for the transfer of nuclear technologies to combat disease and child malnutrition, to manage water resources, to increase food production and to protect the environment.

For example, in the area of human health, radiotherapy has long been recognized as a valuable tool in both the cure and palliation of cancer. Agency attention to this issue in developing countries is becoming increasingly important, as life expectancies increase and cancer rates go up. The Agency seeks to build up indigenous capabilities by training practitioners, improving the quality of therapy equipment, and increasing treatment quality and effectiveness.

In the area of water management, nuclear techniques are gaining increasing recognition. Isotope

hydrology is being used to plot groundwater aquifers for sustainable water resource management, with 75 active Agency projects in some 40 Member States. In Ethiopia, for example, the use of isotope hydrology under an Agency project helped to tap a new groundwater field to provide more than 40 per cent of Addis Ababa's water supply. We are also joining with the Organization of American States, the World Bank and the Global Environment Facility to protect and manage the Guarani Aquifer — the largest groundwater aquifer in South America, with enough freshwater, if protected in a sustainable manner, to supply the needs of over 300 million people.

Agricultural yield and livestock production continue to be enhanced by the expanding application of the proven sterile insect technique (SIT), an environmentally friendly alternative to insecticides. At their July 2001 summit in Lusaka, the African heads of State and Government approved a plan for the Pan-African Tsetse and Trypanosomosis Eradication Campaign through the use of SIT, which will be supported by, among others, the IAEA, the World Health Organization and the Food and Agriculture Organization. The plan should result in significant health and economic benefits across the African continent. Radiation-induced mutations are also being used to produce crops with greater yield and higher quality, and irradiation of agricultural products is being employed to preserve freshness and eliminate disease-causing organisms.

In the area of environmental protection, our Marine Environment Laboratory in Monaco has been giving priority to the use of nuclear techniques for the sustainable management of coastal zones — the parts of the ocean closest to human use and needs. Progress is also being made on developing nuclear techniques for the detection of abandoned landmines — techniques that should be significantly less costly and labour-intensive than conventional techniques.

In each of these areas of nuclear application, the Agency seeks to promote the development and transfer of techniques that serve the priorities of its member States, with a focus on the special needs of developing countries. As we will report at the upcoming World Summit on Sustainable Development, of the more than $500 million worth of technical cooperation provided by the Agency since 1992, more than $200 million has gone to more than 800 projects that have specifically supported Agenda 21 priorities, such as land and agriculture, human health and fresh water.

Safety in nuclear activities around the globe is vital to the continued credibility of nuclear technologies. While safety is primarily a national responsibility, it is equally a legitimate international concern. Nuclear safety, like environmental practices, has implications that transcend national boundaries. Since the Chernobyl accident, safety performance has continued to show significant improvement, but much remains to be done at the national and international levels to address the remaining unevenness in safety practices in different countries.

The development and adoption of international legally binding norms under the auspices of the Agency has significantly contributed to the enhancement of nuclear safety worldwide. To date, conventions have been developed covering the safety of power reactors, radioactive waste and spent fuel management, early notification and assistance in case of a nuclear accident or radiological emergency, and the physical protection of nuclear material. However, many States are not yet party to these conventions; certain key areas of nuclear activity are still not subject to conventions; and some of the conventions that exist are not comprehensive in their coverage. I urge all States that have not already done so to become party to all safety-related conventions. In addition, I believe we should continue to consider the merits of establishing legally binding norms in areas not currently covered by conventions.

A second key Agency contribution to nuclear safety is the development and maintenance of a comprehensive body of safety standards. An increasing number of States use IAEA standards directly or as the reference basis for their national nuclear safety regulations. Over the past few years, the Agency secretariat has been working intensively to update and complete an overall corpus of safety standards that covers the entire range of nuclear activities, including waste and transport safety.

Safety standards can be effective, however, only if applied in practice. The Agency assists States in applying its standards by providing education and training, promoting information exchange on best safety practices and rendering a broad range of safety services. Agency safety services — such as our operational reactor safety assessments, design reviews and regulatory reviews — continue to be in high

demand. The benefits of these international peer reviews and other services are demonstrated by the increasing degree to which follow-up missions find that identified safety problems have been resolved. In the past year, we have begun to develop a more comprehensive approach — an integrated safety evaluation — that would provide a diagnostic of a given country's overall nuclear safety profile, tailored to the degree of complexity of the country's nuclear programme and identifying those areas where safety enhancements should be focused.

A major issue in the current debate regarding the role of nuclear power is the safe management and disposal of spent fuel and radioactive waste. Near-term waste concerns — specifically the disposal of low-level and short-lived waste and the storage of waste in all categories — are already being dealt with safely and effectively. However, the public at large remains sceptical about high-level waste management and disposal, despite the confidence among experts that geological disposal is safe, technically feasible and environmentally responsible.

Some progress is worthy of note. The Finnish Parliament in May ratified the Government's decision to construct a deep disposal facility for spent fuel at Olkiluoto. In the United States of America, a recommendation to the President on the proposed geological repository site at Yucca Mountain may be made in the coming months. And research continues on waste disposal methods that are reversible to allow later retrieval of the waste in case concerns arise or preferred solutions are developed, and on transmutation and other techniques to reduce the radioactivity and volume of long-lived waste. The Agency continues to focus international attention on waste-management issues in order to accelerate progress towards the demonstration of successful solutions, which is key to public acceptance.

This year marked the fifteenth anniversary of the Chernobyl accident. With Agency support, two international conferences in Kiev focused on consequences of the accident, including health, environmental and social impacts. In a recent visit to some of the affected areas in Belarus, I continued to observe the lack of trust that prevails among the people of the region, due in no small part to contradictory data and reports concerning the precise environmental and health impacts of the accident — contradictions that continue among national authorities as well as among the relevant international organizations. I believe that it would be helpful to establish a common forum on the consequences of Chernobyl in which the relevant United Nations organizations and the Governments of the affected countries would deliver a clear and unified message to the people of the region and the public at large. The Agency is currently exploring the feasibility of establishing such a forum.

Last November, the Agency participated in a field mission to Kosovo, led by the United Nations Environment Programme (UNEP), to assess possible consequences of the use of depleted uranium in ammunition during the Kosovo conflict. The mission report concluded that no widespread ground contamination was found in the investigated areas and, therefore, that the corresponding radiological and chemical risks are insignificant. Nonetheless, the report called for certain precautionary actions.

The Agency is still working to respond — with UNEP and the World Health Organization — to requests received from various States in the Middle East and the Balkans regarding additional radiological assessments of depleted uranium residues. A preliminary mission was completed in Kuwait in September; we are participating with UNEP in a mission to Yugoslavia next week; and other missions may follow as resources permit.

Clearly, a number of challenges remain in the area of nuclear safety. Among them is the need to continue to improve safety in areas where vulnerability is apparent and to cultivate a nuclear safety culture globally. This requires increased efforts for the international harmonization of safety standards and approaches and for the development of effective legislative and regulatory infrastructures in all countries.

The Agency's verification activities are designed to provide assurances that nuclear material and facilities are used exclusively for peaceful purposes. In the early 1990s, after the discovery of the clandestine nuclear-weapons programme in Iraq, the international community declared its readiness to give the Agency broader authority to strengthen its verification ability, particularly its ability to provide assurance not only that declared nuclear material has not been diverted for non-peaceful purposes, but, equally important, that no undeclared nuclear material or activities exist. Except in a limited number of countries, however, we still do

not have that authority, because such authority requires that, in every country in question, a safeguards agreement and an additional protocol be in force.

Fifty States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) remain without a comprehensive safeguards agreement in force. For those countries, the Agency cannot provide any safeguards assurance. And since 1997, when the IAEA Board of Governors adopted the Model Additional Protocol, the Board has approved additional protocols for only 58 member States, and only 21 of those have entered into force. This is an unsatisfactory situation. The Agency can provide the required assurances only if we are given the corresponding authority.

For nearly three years, the Agency has not been in a position to implement its mandate in Iraq under Security Council resolution 687 (1991) and related resolutions. As a consequence, we cannot at present provide any assurance that Iraq is in compliance with its obligations under these resolutions. The Agency remains prepared to resume its verification activities in Iraq under the relevant Security Council resolutions at short notice.

A number of questions and concerns remain regarding Iraq's past nuclear programme, the clarification of which would reduce the uncertainty in the completeness of the Agency's knowledge of that programme. Provided that the Agency could satisfy itself that the status of Iraq's nuclear activities has not changed since December 1998, the uncertainties resulting from these questions and concerns would not prevent the Agency from moving to the full implementation of its ongoing monitoring and verification plan. Clearly, the longer the suspension of Security Council-mandated inspections lasts, the more difficult it will be and the more time it will take for the Agency to re-establish the level of knowledge that had been achieved at the end of 1998.

In January 2001, the Agency carried out a verification of the nuclear material remaining under safeguards, pursuant to Iraq's NPT safeguards agreement with the Agency. With the cooperation of the Iraqi authorities, Agency inspectors were able to verify the presence of this material. However, as I have stated before, these safeguards activities do not serve as a substitute for the verification activities required by the relevant resolutions of the Security Council, nor do they provide the needed assurances sought by the Council.

Since 1993, the Agency has been unable to fully implement its NPT safeguards agreement with the Democratic People's Republic of Korea. Pursuant to the Agreed Framework between the United States and the Democratic People's Republic of Korea, however, since November 1994 the Agency has been monitoring the freeze of the Democratic People's Republic of Korea's graphite-moderated nuclear reactor and related facilities. We have also maintained a continuous inspector presence at the Nyongbyong site.

The Agency continues to be unable to verify the Democratic People's Republic of Korea's declaration that all nuclear material subject to safeguards in the country has been declared to the Agency.

As I noted last year, this verification process will take three to four years. In May of this year, the Agency proposed to the Democratic People's Republic of Korea the first concrete steps that need to be carried out in that process and we indicated our readiness to start implementing these measures as soon as the Democratic People's Republic of Korea enables us to do so. We have not yet received a response from the Democratic People's Republic of Korea, which continues to link its acceptance of Agency verification of its declaration to the degree of progress in the implementation of the Agreed Framework. I continue to call on the Democratic People's Republic of Korea to normalize its relations with the Agency, including the resumption of its membership. This would not only make for better interaction in the verification field, but also enable us to provide important safety advice and expertise related to the ongoing light-water reactor project.

In keeping with my mandate from the Agency's General Conference, I have continued to consult with the States of the Middle East region on the application of full-scope safeguards to all nuclear activities in the Middle East and on the development of model agreements that would contribute to the eventual establishment of a nuclear-weapon-free zone in that region. Regrettably, I have not yet been able to make progress in fulfilling this mandate. I do hope that future progress in the Middle East peace process will make it feasible to make parallel progress in this major security issue.

Within the framework of the initiative to submit nuclear material released from the military programmes of the Russian Federation and the United States for Agency verification, consultations have continued in an effort to resolve various legal and technical issues. In the past 12 months, progress has been made on developing technical criteria and methods for implementing verification measures. Agreement, however, has still to be reached on the scope of the verification measures, the nature of the material subject to verification and the duration of verification measures under the agreements. Last month, I met in Vienna with the Russian Federation Minister of Atomic Energy and the United States Secretary of Energy to take stock of progress and to give impetus to this important arms control initiative, which, if successful, would ensure that large amounts of weapon-usable material are irreversibly removed from those military programmes.

Stemming the spread of nuclear weapons and moving towards nuclear arms control and disarmament continue to be a major human aspiration. A number of challenges are critical to our future success. High among them is the universal application of the Agency's safeguards system through the conclusion of the relevant safeguards agreements and additional protocols by all States that have made non-proliferation commitments, and through the attainment of the universality of the nuclear non-proliferation regime. But a closely linked challenge is to make the needed tangible progress towards nuclear arms control and disarmament. This is crucial for sustaining and consolidating the non-proliferation regime in the long run. The unequivocal commitment by the nuclear-weapon States during the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to "accomplish the total elimination of nuclear weapons" (*NPT/CONF.2000/28 (Parts I and II), p. 14*) needs to be followed by concrete steps at an early date.

This review of some of the Agency's activities makes it clear that the scope of our work continues to expand. In the environment of zero-real-growth budgets, to which the Agency has been subjected for more than a decade, some of these priorities cannot be accommodated. The compromises achieved to date to resolve near-term budget issues should not be mistaken for long-term solutions. If the Agency is to fulfil its mandate while maintaining the required balance among its priority activities, we must find better ways to ensure adequate and predictable funding. We must also have the foresight, when planning our activities, to invest in preventive measures rather than simply responding to crises, when it is often too late and much more costly.

Over the past four years, we have initiated a programme of reform in the management of the Agency. Of particular importance has been our accelerated introduction of results-based programming and budgeting, accompanied by a transition to biennial programming and budgeting. Those changes have been facilitated by considerable restructuring within the secretariat and by a "one-house" approach to improving coordination and efficiency among our diverse programmes. Thus, while reform will remain an ongoing process, our basic machinery is now sharp and focused.

IAEA continues to play a key role in ensuring that the benefits of nuclear technology are shared globally, that peaceful nuclear activities are conducted safely, and that the international community is provided with a credible framework for curbing nuclear weapon proliferation and for ensuring the security of nuclear materials and facilities. Naturally, our ability to effectively perform those functions depends on the political commitment and financial support of our member States, which I trust will continue to be forthcoming.

Let me conclude by expressing my sincere appreciation to the Government of Austria, which has continued to be an exemplary and gracious host to the IAEA for more than four decades.

Mr. Prakash (India): The Indian delegation has taken note of the report of the International Atomic Energy Agency (IAEA), just presented by the Agency's Director General, Mr. Mohamed ElBaradei.

The Agency must be commended for bringing out a nuclear technology review, as it has for the past few years. The review cites studies conducted by prestigious organizations which indicate the necessity and indeed the inevitability of nuclear energy over the long term. Objective analyses of various energy scenarios clearly reveal that nuclear energy forms an important component of the energy mix and that it will be one of the principal sources of electricity in the future.

At present, of course, we are faced with an unusual situation. Many industrialized countries with nuclear-power technology capabilities are witnessing electricity demand saturation, while many developing countries, for one reason or another, are unable to access nuclear power. In sharp contrast to that global scenario, the situation in some Asian countries, especially India, is vastly different, since in those countries there is a growing energy demand matched by significant industrialization. These countries have acquired the necessary capability to pursue nuclear technology to meet their energy needs. If the global community wishes to bridge the energy divide to the maximum extent as a prerequisite for economic development, there is no alternative to large-scale utilization of nuclear energy. Several studies have confirmed that conclusion, but those studies are premised on the mistaken perception that developing countries are unable to access energy sources either due to lack of financial strength or due to psychological fear in the matter of nuclear power.

It is gratifying to note that the Commission on Sustainable Development has recognized the value of nuclear energy in the context of sustainable development and has agreed that the choice to use appropriate energy sources should be left to the countries concerned. The nuclear option, however, suffered a setback at the Bonn meeting of the Conference of the Parties to the United Nations Framework Convention on Climate Change when it was decided that developed countries were to refrain from using certified emission reductions generated from nuclear facilities to meet their commitments under the Kyoto Protocol to the Convention. It is ironic that an energy source that is devoid of the danger of greenhouse gas emissions should be discouraged by a body that is most concerned with the reduction of such emissions. We commend the IAEA secretariat for the role it played in New York and in Bonn, distributing fact sheets on nuclear power and sustainable development, organizing side events and presenting case studies, all of which made a considerable impact.

We should recognize the reality that nuclear power will play an increasingly important role in meeting the energy needs of the world. There is an imperative need to eliminate, through innovation and improvement, the remaining concerns about nuclear power generation. Thus, we need technological solutions not only to ensure economical generation of nuclear power but also to address questions of safety, sustainability, proliferation resistance and long-term waste management. We believe that there are several canons by way of technological solutions which would simultaneously address all those issues. The development of the advanced heavy water reactor in India is a step in the right direction. In that context, the initiative of IAEA to launch the International Project on Innovative Nuclear Reactors and Fuel Cycles is highly laudable and worthy of strong support and participation. Such programmes, if well supported, would contribute to greater nuclear power generation as well as to enhancing safety with no fear of proliferation. We therefore strongly recommend better budgetary support to such programmes, which simultaneously address the long-term objectives of IAEA programmes in nuclear energy, nuclear safety and safeguards. For our part, we are actively participating in that vital programme, including by way of providing cost-free expertise. We hope it would be possible for this programme to be made a part of the regular budget of the Agency, with adequate support. We feel that this is the most cost-effective strategy that could meet the statutory mandate of the IAEA in the long run without losing the balance between the promotional and safeguards activities.

India's modest uranium resources have been a key determinant in the direction that our nuclear-power programme has taken. A closed nuclear-fuel cycle, which involves reprocessing and recycling of fissile materials, is central to our nuclear energy policy. Incidentally, this also facilitates a logical answer to the issue of long-term waste management. Since our thorium reserves are five to six times larger than our uranium reserves, thorium utilization for large-scale energy production is an important long-term goal of our nuclear-power programme.

In the year 2000, four 220 megawatt (MWe) pressurized heavy water reactor (PHWR) units commenced commercial operation in India, bringing our nuclear power capacity to 2,720 MWe from 14 operational units. India's nuclear power reactors are also a maintaining high-capacity factor of around 82 per cent. In the next 10 years it is envisaged that a total nuclear power capacity of about 10,000 MWe would be established. Our fast-breeder reactor programme is on course. The design of the 500 MWe sodium-cooled pool-type prototype fast-breeder reactor (PFBR) is nearing completion and we expect to be able to

commence construction of a PFBR soon. The detailed design and development of the uranium-233 and plutonium-fuelled advanced heavy-water reactor (AHWR) continued at the Bhabha Atomic Research Centre (BARC). Research and development in fusion technology continues.

Self-reliance continues to be the guiding principle of our nuclear programme, which is now firmly in place, and will continue to grow on the basis of indigenous capabilities. However, to increase the share of nuclear power rapidly, the import of light-water-reactor (LWR) technology has been envisaged. We are now in the process of setting up two 1000 MWe VVER pressurized-water reactors in collaboration with the Russian Federation. Consistent with our policy, these reactors will also be placed under the facility-specific safeguards of the IAEA. The same would apply to other similar plants established through imports in the future.

While nuclear power is a major component of our research-and-development activities, we continues to lay emphasis on applied research in the use of atomic energy in non-power areas such as health, agriculture, food processing, water and industry.

India is alert to the dangers inherent in illicit trafficking of nuclear materials and other radioactive sources, particularly in the context of the international situation brought about by the 11 September events. The events have since underlined the necessity for the international community to pool its efforts to counter the menace of global terrorism. India appreciates the efforts made by the IAEA for the past several years, in cooperation with other States, aimed at preventing and combating illicit nuclear trafficking. In India we have an elaborate domestic system through adherence to the standards of physical protection recommended by the IAEA. We also have put in place a stringent system of expert controls to rule out illicit diversion of material equipment or technology in the nuclear field.

India considers the Regional Cooperative Agreement for Asia and the Pacific (RCA) an important mechanism for the growth and use of nuclear technologies for sustainable development in the region. Following the Agency's efforts aimed at transferring more and more management responsibilities and ownership to the member States, we have been continuously increasing our participation in the RCA Programmes. India has the requisite expertise in various RCA-related activities and well-developed infrastructure facilities, which have been made available as regional resource units. India has been regularly making its contribution to the Technical Cooperation Fund (TCF) in full and on time. This year also, we have pledged to contribute in full to the TCF.

The Agency, which has been fulfilling its mandate and has enlarged its core competence in the past 44 years, deserves our support, both technological and financial. New obligations of the Agency cannot be met without additional financial resources. Through a budgetary stratagem, this year we have managed to appear to be adhering to zero real growth, but in actual fact, there has been an increase in the outlay of the Agency. We have always urged that the IAEA, as a unique multidisciplinary science-and-technology organization in the United Nations system, must have the means to execute its activities. Under the one-house concept, rightly advocated by the Director General, it should be possible to judiciously use the scarce resources and implement activities that are mandatory and statutory and either sought by General Conference resolutions or requested by member States. While extra-budgetary support has its uses, it fundamentally promotes commerce and not the technological empowerment.

The IAEA was created with the primary objective of accelerating and enlarging the contribution of atomic energy to peace, health and prosperity throughout the world. This objective can be fulfilled only through advancement of technology. Accordingly, technology must become the central pillar on which the Agency's activities should rest. Safety and safeguards, while indeed important, can only be supporting activities.

Mr. Ahmad (Pakistan): At the outset, I would like to extend our warm felicitations to Dr. Mohamed ElBaradei on his reappointment as Director General of the International Atomic Energy Agency (IAEA). We also appreciate the excellent work that the Agency has been doing under his able leadership in the promotion of the peaceful application of nuclear energy.

Being a founding member of the IAEA, Pakistan is fully committed to the goals and objectives of the Agency. We acknowledge IAEA's important role in the process of economic development through the enhanced contribution of atomic energy to peace, health and prosperity throughout the world.

The promotion of peaceful uses of nuclear energy is the *raison d'être* of the International Atomic Energy Agency. The world steadily needs more energy. Energy multiplies human labour, increasing productivity. The world population surpassed the 6 billion mark two years ago. Yet one third of that number, or 2 billion people, lack access to electricity. Development depends on energy, and the alternative to development is poverty and suffering.

The energy demand cannot be met by fossil fuel alone since that would impose an unacceptable burden on the environment. The massive development of hydropower is one option. The only other proven and sustainable option is the use of nuclear energy. We feel that opposition to nuclear power, despite its good safety record and environment-friendly character, is either based on misunderstandings or it is a deliberate pretext to deny this technology to developing countries.

Pakistan, in view of the limitations of its fossil fuel and hydropower resources, is keen to make increasing use of nuclear power to meet its future electricity requirements. Moreover, current power-generation requirements in my country are largely being met through the use of oil, resulting in huge oil import bills. In order to diversify the country's power generation system and reduce its dependence on energy imports, increasing utilization of nuclear power is a desirable option for Pakistan. In this context, we duly acknowledge the cooperation extended by the IAEA during the construction phase of our second nuclear plant at Chashma, which is under IAEA safeguards and which started its commercial operation in September last year. This power plant is a shining example of south-south cooperation and is making a significant contribution to our gross national product.

A high-profile safety culture is an indispensable component of any successful nuclear power programme. IAEA is playing an important role in safety-related issues. Pakistan itself attaches great importance and priority to the safe operation of its nuclear facilities. To ensure the requisite safety controls, our Government earlier this year set up the Pakistan Nuclear Regulatory Authority, which has been given the responsibility of controlling, regulating and supervising all matters related to nuclear safety and radiation protection. Our commitment to a safety culture was also manifest in our prompt acceptance and ratification of the Convention on Nuclear Safety and in our steadfast commitment to compliance with the Convention by way of our active participation in the follow-up activities of the IAEA.

We appreciate the invaluable assistance provided by the IAEA in the field of nuclear safety through its advice, guidance, expert missions, lectures, workshops and short courses. For its part, Pakistan has been offering training to many IAEA nominees and, in collaboration with the IAEA, is ready to conduct long-duration courses in operational safety and safety analysis, with a university degree in nuclear safety. It is important that we strengthen and expand safety-related technical cooperation among all IAEA member countries. In this regard, we hope that the IAEA will play a more proactive role in convincing advanced countries to provide liberal transfers of safety-related technology and equipment to developing countries.

Pakistan has always emphasized the need and importance of IAEA safeguards. By enacting legislation last year on effective nuclear export controls, and by acceding to the Convention on the Physical Protection of Nuclear Material, Pakistan has clearly demonstrated its resolve to carry out its obligations and responsibilities in this regard. Our track record in adhering to IAEA safeguards has been immaculate.

We are happy that the Agency's technical cooperation programme is gaining strength both in quality and in quantity. However, we feel that greater programme effectiveness could be ensured if adequate allocations were made to the Technical Cooperation Fund. Another source of concern is the non-payment or delayed payment of the contributions of Member States. As the Director General said himself in his statement, we must find better ways to ensure adequate and predictable funding. This is essential indeed, if the Agency is to have the necessary means to fulfil its mandate. In addition, maximum utilization of available resources within the regional areas and the universal involvement of developing countries in programme formulation are some of the other points requiring the Agency's attention.

While the Agency's positive role in promoting technical cooperation is acknowledged, it is important for the credibility of the IAEA to promote peaceful uses of the atom and to maintain the focus on its technical promotional character. We expect the Agency to follow a balanced and non-discriminatory approach

in providing access to nuclear energy for peaceful purposes, particularly to developing States.

Mr. De Loecker (Belgium) (*spoke in French*): I have the honour to speak on behalf of the European Union. The countries of Central and Eastern Europe associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — the associated countries of Cyprus, Malta and Turkey, and the European Free Trade Association countries members of the European Economic Area, Liechtenstein and Norway, align themselves with this statement.

The European Union has noted with great interest the report on the activities of the International Atomic Energy Agency (IAEA) presented to us by Director General ElBaradei, whose presence among us today we welcome. We would like to take this opportunity to reaffirm our full support for the important activities being conducted by the Agency in the areas of guaranteeing non-proliferation and of safety and the promotion of the safe use of nuclear technology for peaceful purposes in the member States that have opted to use such technology.

The European Union is well aware of the difficult financial context within which the Agency is having to carry out its important tasks, and is concerned that a large number of the Agency's member States are still failing to pay their contributions to the regular budget. The Union unreservedly supports the important initiatives which have been launched in order to adapt to this difficult budgetary situation and to try to maximize the effectiveness of the Agency's activities. We believe that those initiatives are in the right direction and are bound to bear fruit as long as efforts continue.

On several occasions this year, the member States of the European Union have reaffirmed a number of fundamental management principles that they consider to be of particular importance. Those principles include strict limits on the number of projects on the basis of the less-but-better notion; a clear hierarchical organization of programmes and, as a corollary, greater flexibility in transferring resources between sectoral programmes as required; and focusing the Agency's efforts on those areas in which such activities are most likely to have a significant impact.

The European Union considers that all of the Agency's various tasks are important and useful. However, we believe that special attention should, of course, be paid to the safeguards programme. It is clear that the international community will not be able to reap the benefits of the peaceful uses of the atom unless there is an absolute assurance that nuclear activities and cooperation cannot be diverted from exclusively peaceful applications.

In that connection, the European Union notes with concern the growing imbalance between expenditures on the Agency's statutory activities with regard to non-proliferation safeguards and the resources which its member States are willing to allocate to it for that purpose as part of the regular budget. The Union would like to issue a firm reminder to member States that the responsibilities conferred upon the Agency by the Non-Proliferation Treaty in terms of verifying member States' compliance with their obligations necessitate essential activities to which the Agency is obliged to devote sufficient resources, in the interests of the international community as a whole.

The European Union has, of course, studied in great detail the Agency's report on its activities to ensure implementation of the safeguards agreements, and it welcomes its encouraging conclusions. It is also following with great interest the Agency's work on integrating safeguards. We trust that this will eventually lead to a reduction in inspection efforts in those States that have signed and satisfactorily implemented an additional protocol, and in respect of which the Agency has been able to conclude — or it has been established by other means — that all nuclear materials are subject to safeguards and continue to be used for peaceful nuclear activities.

The European Union welcomes the many important initiatives being taken by the Agency with regard to safety. We are pleased to note that those efforts are bearing fruit and that the Agency's investigations are continuing to indicate a general improvement in safety levels.

The European Union also welcomes the Agency's activities in assisting the development of the peaceful use of nuclear energy in its Member States. In that connection, we would reiterate our commitment to cooperating closely in that third pillar of the Agency's activities, inter alia through the Technical Cooperation

Programme, to which the Union makes a substantial contribution.

The European Union is satisfied with the Agency's continuing efforts to improve the effectiveness of the Technical Cooperation Programme in the interests of its recipients and of the donor countries. We particularly appreciate the Agency's policy of subjecting projects to a rigorous assessment and of selecting only those that meet a series of specific criteria. We note that this policy is already beginning to bear fruit, as shown by the reduction in the number of projects. The Union would like to encourage the Agency to persevere with this policy and to keep using all of the resources of modern management methods to continuously monitor the progress of projects in accordance with their objectives.

We look forward with great interest to the text of the draft resolution that is soon to be presented by Australia. We wish to affirm once again the European Union's firm intention to continue to cooperate with the International Atomic Energy Agency and to give it its full support. The European Union considers that the Agency plays an irreplaceable role in those areas for which it is responsible.

Mr. Motomura (Japan): On behalf of the Government of Japan, I offer my heartfelt congratulations to Mr. Grönberg of Finland for the excellent manner in which he conducted his presidency of the forty-fifth General Conference of the International Atomic Energy Agency (IAEA). I would also like to congratulate Mr. Mohamed ElBaradei on his reappointment as Director General of the IAEA and to extend to him my best wishes for the success of his second term. I also wish to thank him for his presentation of the IAEA report. Furthermore, I am pleased to extend a hearty welcome to the Federal Republic of Yugoslavia and to the Republic of Botswana, which have recently become members of the Agency.

The Government of Japan greatly appreciates the Agency's role in fostering and strengthening international cooperation on the peaceful use of nuclear energy, nuclear safety and nuclear non-proliferation. As the only country to have suffered a nuclear attack and as a country that has long been committed to the peaceful use of nuclear energy, Japan is determined to use its wealth of experience for the greater benefit of humankind. We attach the highest priority to safety and security in utilizing nuclear energy for peaceful purposes, and we are striving to promote safety and to improve physical protection measures, both domestically and internationally.

Given the scarcity of its domestic energy resources, Japan has actively promoted the peaceful use of nuclear energy as a stable energy source in the course of its economic development. I am certain that the importance of this resource for Japan will increase in the years ahead.

There are two reasons why my Government has been promoting the enhanced utilization of nuclear energy. First, since Japan is heavily dependent on imported oil from abroad, nuclear energy contributes to a stable energy supply. Secondly, nuclear energy has enormous merit from the perspective of global environmental considerations. The Government of Japan will continue to make its use of plutonium transparent.

In the context of our bilateral cooperation, we are concerned at the situation of the people of the Semipalatinsk region of Kazakhstan. In September 1999, the Government of Japan, together with the United Nations Development Programme (UNDP), convened the Tokyo International Conference for assistance to the Semipalatinsk. As a follow-up to that Conference, and in close cooperation with the Government of Kazakhstan, my Government recently commenced a survey to assess the effects of radiation on the health of the people of that region.

Allow me briefly to highlight some of the aspects of the IAEA's activities which we deem to be particularly important.

In the light of the present international situation, enhancement of the nuclear non-proliferation regime is one of the most important items on the agenda of the international community. It is my conviction that strengthening the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) regime is the most realistic option. That is why the Government of Japan promptly concluded the additional protocol, which has the effect of strengthening safeguards for nuclear non-proliferation. We also proposed, during the General Conference of the IAEA last year, a plan of action to promote the conclusion of additional protocols by many States which have not yet done so.

Based on the plan of action and in cooperation with the IAEA, the Government of Japan organized in June the International Symposium for Further Reinforcement of IAEA Safeguards in the Asia-Pacific Region. The Symposium succeeded in deepening the understanding of participants on the issue of the universalization of the Additional Protocol. I hope that similar events will be organized by the Agency for other regions of the world.

I also call upon all States parties to the IAEA Safeguards Agreement to promptly conclude additional protocols through implementation of the plan of action. Towards that end, the Government of Japan remains willing to cooperate with the IAEA in terms of both human and financial resources.

As was stated in the Final Document of the NPT Review Conference last year, the early adoption of integrated safeguards will rationalize the burden of safeguards and should prove to be an important incentive for concluding the additional protocol. We urge the IAEA secretariat to accelerate its work on substantiating the concept of integrated safeguards.

Needless to say, it is essential to improve and create adequate security measures for nuclear materials and facilities. The Government of Japan remains strongly supportive of the activities and programmes of the IAEA, which, we believe, are conducive to preventing acts of terrorism.

From the perspective of maintaining peace and security in North-East Asia, the role of the IAEA in the grave context of suspected nuclear weapons development by North Korea is a pivotal one. In order that we may arrive at a realistic resolution of this matter, the Government of Japan will continue to actively support the efforts made by the Korean Peninsula Energy Development Organization to implement, smoothly and expeditiously, the Lightwater Reactor Project. I urge North Korea to improve its relations with the IAEA and to comply promptly and completely with its obligations under the safeguards agreement.

In closing, I would like to reiterate my Government's strong commitment to and support for the activities of the IAEA.

Mr. Tomka (Slovakia): First and foremost, I would like to thank Mr. Mohamed ElBaradei for his comprehensive introduction of the report on the activities of the International Atomic Energy Agency. Again, we find the report well balanced and highly informative.

My delegation fully supports and associates itself with the statement of the European Union delivered by the representative of Belgium. I would like, however, to briefly address some issues of particular interest to my delegation.

Slovakia continues to view the work of the Agency as truly indispensable for the promotion of the peaceful uses of nuclear energy and for ensuring that its sources are not used for anything other than strictly peaceful purposes.

Looking back at last year's nuclear agenda, we would like to underline the importance of the sixth Review Conference of the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and its Final Document, which stressed the central position of the Agency in upholding the Treaty's non-proliferation regime through the operation of its safeguards system. In our view, it is the viability of the non-proliferation regime and the continued adherence of the States parties that, first and foremost, create the necessary conditions for the successful implementation of the strengthened review process of the Treaty.

We fully support the ongoing efforts of the Agency aimed at refining its safeguards system. The launching of the Model Additional Protocol to safeguards agreements represents a major tool in this respect. We encourage the swift conclusion of additional protocols by as many States as possible. Slovakia signed the Protocol in 1999, and preparations for its implementation are well under way.

Although we are pleased to note that the Agency has so far been able to verify the compliance of almost all States with their nuclear non-proliferation obligations, it is regrettable that in two cases it has not been in a position to fully perform its mandated duties.

We regret the continuing failure to bring the Comprehensive Nuclear-Test-Ban Treaty into force and the inability to resume negotiations on a ban on the production of fissile materials for nuclear weapons. Both elements, if in place, would represent a large qualitative step towards strengthening the global nuclear non-proliferation regime. We appreciate the Agency's readiness to provide its expertise for negotiations on a fissile material cut-off treaty.

It is clear that measures to strengthen the safeguards system must be supported by the effective physical protection of nuclear material. Although illegal trafficking has so far involved only small quantities of nuclear material, combating it represents a growing challenge that calls for further decisive measures to be taken to prevent the recurrence of incidents. It is no wonder that at this session of the General Assembly we are paying more detailed attention to the chapters of the Agency's report covering that issue. The recent tragic events in our host country clearly suggest the scale of the consequences we might face in the future if the issue is not adequately addressed.

We recognize the activities of the Agency in this field, including the continued debate among experts on the need to revise the Convention on the Physical Protection of Nuclear Materials. The Agency's database on illicit trafficking incidents also represents a valuable instrument for understanding the scale of the issue and for the elaboration of effective remedial measures.

Slovakia is among the countries that operate peaceful nuclear facilities. Such facilities provide nearly 50 per cent of the electricity that we generate in a year. Their safe operation continues to be one our highest priorities. With this in mind, we have promoted and enjoyed fruitful cooperation with the Agency since joining it in the early 1990s. In the field of nuclear safety, I would like to mention the Agency's year 2000 review mission of units 1 and 2 of the Bohunice nuclear power plant in Slovakia, which concluded that a comprehensive safety upgrading programme had been developed and implemented.

At present, Slovakia is cooperating with the Agency on dozens of national, regional and interregional technical projects. One national project which merits particular attention is that on radiochemical facilities for producing medical radionuclides, which we are supporting by providing $1.45 million.

In addition to nuclear safety and technology, there are other important areas in which cooperation between Slovakia and the Agency takes place. The holding of international expert workshops has been particularly successful, and we are ready to continue to host them. With our broad expertise in peaceful uses of nuclear energy and nuclear-related applications, we are also prepared to host fellows and visiting scholars sponsored by the Agency.

Throughout the past year we also continued our cooperation in the field of the peaceful uses of nuclear energy with more than 20 States members of the Agency, as well as with a number of international organizations.

In conclusion, my delegation hopes that this year the General Assembly will be able to reintroduce, and possibly adopt by consensus, a substantial draft resolution on the report of the Agency. Without any doubt, that would be the best message we could deliver to Vienna, thereby demonstrating our unfailing support for the Agency. To this end, I pledge my delegation's full cooperation.

Mr. Requeijo Gual (Cuba) (*spoke in Spanish*): I would like to begin by thanking Mr. Mohamed ElBaradei for his introduction to the annual report on the work of the International Atomic Energy Agency (IAEA). I would also like to congratulate him on his well-deserved election to a second term as Director General of the IAEA and to convey to him Cuba's satisfaction with his excellent leadership of the Agency.

I also wish to welcome the Republic of Botswana and the Federal Republic of Yugoslavia, as new members of the IAEA this year.

The IAEA's efforts in the area of technical assistance and cooperation, safeguards and nuclear safety are valued by Cuba. Apart from certain questionable elements, these efforts result in a balance that is favourable to the tasks of the Organization. Technical development, promotion and cooperation activities represent the most valuable and commendable part of the IAEA's work. For this reason we believe that everyone is duty-bound to work so that cooperation is not only maintained but is also strengthened and diversified.

Nuclear energy offers a safe, technically rational and economically viable alternative to meet the pressing energy needs of most States. However, this has not prevented some developed countries from maintaining attitudes that are not in keeping with the principles and purposes of the IAEA, trying to cut back technical assistance programmes, reducing their contributions to the fund created for such purposes or placing selective conditions on their use.

Strengthening the IAEA technical cooperation programme should mean not only improving organizational systems and management methods; it should also ensure that the financial resources destined for that programme are made available on a reliable and increasing basis. In future the diversion of resources from the technical cooperation fund to the management of the programme should be prevented, and the programme management should be ensured in the regular budget.

Despite the significant results achieved, there are many challenges that the Agency faces. We feel that at this time there is an imbalance between the two main facets of the IAEA's work: cooperation and technical assistance have not benefited from the same vigour and integrity as have safeguard activities. The trend towards a decrease in real terms in financing for technical cooperation activities is not in accord with the growing needs of the developing countries. The increasingly globalized world in which we live will be less viable if there is no genuine resolve to contribute on the part of States possessing the greatest resources. Those are the countries that have the greatest responsibility to contribute to a genuine transfer of technology, accessible to all on an equal footing and without conditions.

The nuclear programme that has been carried out in Cuba since the 1980s was designed as part of the country's development and includes two basic components: applications of nuclear techniques, and nuclear energy. The plan to build the Juraguá nuclear electric power station was stopped recently because other options have emerged that are more economically viable in the country's current circumstances. Cuba meets more than 70 per cent of its electricity demands from nationally produced fuels.

Notwithstanding the decision concerning this specific project, Cuba recognizes the important role of nuclear technologies in sustainable development. Therefore, the country will continue to develop its nuclear programme, focusing now on the application of nuclear techniques to the various sectors of the socio-economic life of the country. We have achieved excellent results in the areas of human health, agriculture, industry and other applications. We are sending experts from a number of areas to other countries and offering our facilities for training foreign specialists, and some Cuban products have even been used for international cooperation projects in the use of nuclear energy.

In addressing the question of safeguards, the question of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) becomes an almost inevitable issue. Cuba's position on this Treaty is known. We take the view that its provisions are discriminatory and selective by their very nature, because they legitimize the possession of nuclear weapons by a select club of countries. The nuclear Powers that derive legitimacy from the Non-Proliferation Treaty are not even required to submit their nuclear facilities and arsenals to IAEA safeguards. These are the basic reasons why thus far Cuba has neither signed nor ratified that Treaty.

Although it is not a State party to the Non-Proliferation Treaty and thus has no obligation whatsoever to negotiate safeguard agreements with the IAEA, Cuba currently has all its nuclear facilities subject to safeguard agreements with the Agency, and it fulfils them scrupulously. Moreover, October 1999 saw the signing of the additional protocol to the existing safeguard agreements between Cuba and the IAEA. Cuba thus became the first non-signatory of the Treaty to sign such a protocol.

As part of the rigid economic, financial and commercial blockade imposed on Cuba for more than 40 years, various actions have targeted our programme for the peaceful use of nuclear energy to prevent its advance. As is well known, in 1996 the United States Government adopted the infamous Helms-Burton Act, which, among other things, provides that the termination and the operation of any nuclear facility in Cuba, even when it is a facility for the peaceful use of nuclear energy, would be considered an act of aggression that would provoke an appropriate response from the United States.

Other pieces of American legislation currently in force spell out actions designed to boycott Cuba's nuclear programme in various ways. Cuba reiterates its strongest rejection of such discriminatory actions, which run counter to the statute of the IAEA. Despite those actions, our country will continue to develop its nuclear programme for peaceful purposes in a totally transparent manner and will continue to work tirelessly to promote nuclear disarmament and the total elimination of nuclear weapons.

Last year, following negotiations in Vienna and New York that lasted several months, the General Assembly adopted a basically procedural resolution on the IAEA's annual report. Although for many it was a frustrating exercise, in our view its main virtue was that a text was adopted without a vote, in contrast to what had been happening for several years. We hope that last year's experience spelled the end of the cycle of confrontation which should never have been initiated concerning this resolution. Given that it is dealing with an agency of the importance of the IAEA, the resolution should contain only consensus elements and should reflect those issues that have the necessary support from all delegations. This would make it possible for the General Assembly to send a clear signal of unity and support for the work done by the IAEA. Cuba reaffirms its full readiness to contribute to efforts made to achieve that objective.

Mr. Sevilla Somoza (Nicaragua), Vice-President, took the Chair.

Mr. Gatilov (Russian Federation) (*spoke in Russian*): First of all, let me express our heartfelt condolences to the delegation and the people of the United States, the victims and the bereaved families of all those who died as a result of the unprecedented act of aggression perpetrated by the forces of international terrorism.

The large-scale terrorist attack perpetrated on 11 September 2001 demonstrated where the real challenge to security comes from, especially when coupled with terrorists' attempts to get their hands on weapons of mass destruction. It also demonstrated what civilized States should deploy their efforts against. We believe that the International Atomic Energy Agency (IAEA) should play its own important role in this area.

The Russian Federation would like to welcome the Director General of the IAEA, Mr. Mohamed ElBaradei, to congratulate him on his re-election to his position and to thank him for submitting this regular Agency report for our consideration. In our opinion, the report provides us with an objective picture of the multifaceted activities of the Agency, covering such major areas as ensuring nuclear non-proliferation through its verification functions and assisting in the peaceful use of atomic energy for development purposes.

Russia adheres to a consistent policy with regard to securing strategic stability on the basis of preserving and strengthening the international legal framework in the area of nuclear non-proliferation and disarmament. By ratifying the key disarmament agreements — START II, along with the package of the New York arrangements on START and the Anti-Ballistic Missile (ABM) Treaty, and the Comprehensive Nuclear-Test-Ban Treaty (CTBT) — Russia has confirmed, not in word but in deed, its commitment to its obligations.

At this session of the General Assembly, Russia, together with the delegations of Belarus and China, has introduced a draft resolution on the preservation of and compliance with the ABM Treaty, which has been and remains the backbone of strategic stability system. By proposing this draft resolution in support of the ABM Treaty, we proceed from the need to further mobilize the efforts of the international community to prevent the existing system of treaties and agreements in the area of arms control and disarmament from being undermined.

Among the important elements of nuclear disarmament are the disposal of excess weapon materials and the reduction of the nuclear-weapon complex in Russia. Due to the successful implementation of the Russia/United States intergovernmental agreement of 18 February 1993 on the use of highly enriched uranium extracted from nuclear weapons, approximately 5,000 warheads have already been destroyed. We can also mention the progress made in the conversion of nuclear-weapon enterprises.

We believe that, apart from unilateral and bilateral steps in the area of nuclear disarmament, the time has come to start discussions on strategic issues within the framework of multilateral mechanisms, including among the five permanent members of the Security Council, who bear special responsibility for the fate of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the CTBT and other international agreements.

Certainly, one of the fundamental treaties in the nuclear sphere is the NPT, which has defined the international security system for over 30 years. Russia attaches great significance to the implementation of the Final Document of the 2000 NPT Review Conference.

As can be seen from the IAEA report, last year virtually all major programmes were implemented according to plan. We take special note of one important area of the Agency's activities, the

application of safeguards, which is interlinked with the enforcement of the nuclear non-proliferation regime. The Russian Federation consistently acts in support of developing measures for the further strengthening of the IAEA safeguards system, including efforts to develop comprehensive safeguards. Russia is financing a national programme for the scientific and technological support of IAEA guarantees.

We should note the role that could be played by the IAEA in the possible international control of fissile materials released as a result of genuine nuclear disarmament. We believe that an example of this could be the Trilateral Initiative aimed at examining the various aspects of the placement by Russia and the United States of excess fissile materials originating in weapons under IAEA control.

We are convinced that helping in the development of nuclear energy has to remain a key priority area of the Agency's activities. An important event in this area was the beginning of the implementation of an international project on innovative nuclear reactors and nuclear fuel cycles. We see that this project is aimed at dealing with a specific task: developing coordinated criteria for selecting promising nuclear technologies of a new generation. Its implementation is one of the practical steps within the initiative put forward by President Vladimir Putin at the Millennium Summit last year, and this implementation will be conducive to the sustainable development of humankind, nuclear non-proliferation and the environmental stability of the planet.

On Russia's initiative, the forty-fifth session of the IAEA General Conference adopted a resolution encouraging all interested States to fully join the International Project on Innovative Nuclear Reactors and Fuel Cycles and to make their own contributions to its implementation. We are grateful to the States that supported that resolution.

We see a positive trend in the change of attitude to nuclear energy that is taking place in the world. In May 2000, the Government of the Russian Federation approved a strategy for nuclear energy development in Russia for the first half of the twenty-first century. According to that strategy, nuclear energy development will exceed the development of other types of power generation by a factor of three. In July this year, Russia saw the adoption of a legislation package authorizing the import of radioactive nuclear fuel for technological storage and processing. We now have broad capabilities in terms of reprocessing spent fuel from nuclear power plants, especially as concerns power plants in the construction and operation of which we helped. New laws provide for the possibility of leasing fuel, which would guarantee the return of spent fuel to Russia. All of this will certainly be conducive to the promotion of international cooperation in the peaceful use of nuclear energy.

Russia supports the activities of the IAEA in improving the strategy of technical cooperation. The Russian Federation made its voluntary contribution, on time and in full, to the IAEA Technical Assistance and Cooperation Fund for the year 2000.

In conclusion, I would like to express our generally positive opinion the IAEA's work in the past year. I would like to suggest that there is a need to maintain the right proportion and balance among the major IAEA functional programmes.

We expect that this year the General Assembly will adopt a substantive draft resolution on the IAEA report. In our view, this would tangibly confirm the role that the Agency plays in fulfilling its important tasks relating to nuclear non-proliferation and assistance in the peaceful use of nuclear energy.

Mr. Khairat (Egypt) (*spoke in Arabic*): At the outset, I wish to extend my sincere congratulations to Mr. Mohamed ElBaradei on the renewal of his mandate as Director General of the International Atomic Energy Agency. This demonstrates the confidence of all countries and their appreciation for his wise leadership in conducting the work of the Agency and in developing its activities to enhance the peaceful application of nuclear energy in the service of humankind and prosperity, and in strengthening the nuclear non-proliferation regime. I also wish to thank him for his excellent presentation of the Agency's annual report.

We have read the annual report of the Agency and have learned of its clear achievements over the past year. Due to lack of time, it would be difficult for us to address the various aspects of the Agency's work as set out in the report, aspects such as nuclear safety, radiation safety, security of material, and so on. However, we wish to reaffirm the great importance we attach to the Agency's comprehensive safeguards system as a means of observing and verifying the

peaceful use of nuclear energy and for preventing the diversion of such energy towards military applications.

As has been its firm position at the regional and international levels over the years, Egypt believes that the Agency's comprehensive safeguards system is the cornerstone of the nuclear non-proliferation regime. We believe that universal accession is of utmost priority. This was called for by the sixth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and that appeal was renewed unanimously as one of the main objectives in the strengthening of the non-proliferation regime. From this perspective and in the light of the international momentum towards achieving universal accession to the Agency's safeguards regime, we are amazed at the position of certain countries that are active and influential in the field of non-proliferation, which occasionally adopt a negative attitude towards the need to attain universal accession to the safeguards system. This clear contradiction demonstrates the lack of credibility of certain influential countries in dealing seriously with the countries that fail to comply with the principles now enshrined at the international level. They continue to demand that additional measures be implemented by countries already committed to those principles. This contradiction is completely incomprehensible and does not reflect a serious international approach to non-proliferation. In this context, we believe that the resolution of the Agency's General Conference on the strengthening of the safeguards system is a good step forward. It evinces a certain objectivity regarding the importance of achieving the safeguards regime, and we look forward to more international action in this regard.

Egypt attaches great importance to the aims and principles of the nuclear non-proliferation regime and nuclear disarmament in the world. Achieving progress in this field, especially in the Middle East, is of critical importance in the light of Israel's intransigence and its threatening use of obsolete strategies of deterrence. All the countries of the region have acceded to the NPT and have placed their nuclear activities under comprehensive Agency safeguards. That is a bid to establish a nuclear-weapon-free zone in the Middle East. However, Israel continues to stand apart from the efforts in the region in this regard.

Since 1974, Egypt has taken the initiative to establish a nuclear-weapon-free zone in the Middle East. This is an appeal that the General Assembly has repeatedly renewed by consensus since 1980, culminating in President Mubarak's initiative of 18 April 1990 calling for the creation of a zone free of all weapons of mass destruction in the Middle East, as a natural continuation of Egypt's ongoing bid to establish a nuclear-weapon-free zone in the Middle East. Towards the implementation of this initiative, the Agency's General Conference unanimously issues annually a resolution on applying Agency safeguards in the Middle East. Despite all of that, Israel still refuses to comply with international will and refuses to subject its nuclear facilities to the safeguards regime. Those efforts and appeals are not merely Egyptian or Arab demands, but an international demand involving many other countries. That international will was reflected in the Final Document of the sixth NPT Review Conference, held in 2000. The Final Document welcomed the accession of all the countries of the Middle East, except Israel, to the NPT. It also reaffirmed the importance of Israel's accession to the Treaty and its placing all its nuclear installations under the full scope of Agency safeguards.

We appreciate the Agency's efforts to develop and improve the aims and effectiveness of the Agency's technical cooperation programme with Member States, especially with developing countries, and particularly in Africa. We also support the Agency's practical steps towards improving the technical cooperation programme through early consultations with Member States concerning the details of the various programmes, as well as through improving coordination between the secretariat and the managers of proposed projects. However, we wish to highlight the importance of adequately funding these activities because they are a basic component of the Agency's work.

In conclusion, I wish to reaffirm Egypt's attention to the need for the General Assembly to adopt a substantive resolution every year concerning this agenda item, in the light of the importance we attach to the Agency's work and to the peaceful applications of nuclear energy. We believe that the procedural resolution of the General Assembly's fifty-fifth session does not rise to the level of the Agency's work.

Mr. Balarezo (Peru) (*spoke in Spanish*): I would like to convey our thanks to Mr. Mohamed ElBaradei for his presentation of the exhaustive report of the International Atomic Energy Agency (IAEA) and to congratulate him on his re-election to a second term as

Director General of the IAEA. This re-election reaffirms the confidence of the international community in the important work that he has been doing and the need for it to continue in order to consolidate the achievements in the three pillars of the Agency's task: the safeguards system, encouraging the safety of nuclear facilities and promoting the transfer of technology and technical cooperation for peaceful purposes.

The terrorist attacks in New York and Washington, D.C., almost two months ago highlight the urgent need for an effective system of protection for fissile material and nuclear facilities, to combat illicit trafficking in such material and to strengthen the non-proliferation and nuclear disarmament regime through the immediate implementation of the 13 points agreed by consensus at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

The International Atomic Energy Agency has played a key role in these areas by strengthening the only option that absolutely guarantees the non-use of nuclear weapons by state and non-state actors. That option requires the total elimination of nuclear weapons. Peru is convinced of the need for an effective and genuine international verification system for fissile materials and nuclear facilities and for ensuring exclusively peaceful use.

On the basis of the experience of recent years and of the recognition of the need to expand the IAEA's assessment and information capacities accurately to determine if a diversion of fissile material for military purposes has occurred, my country signed the additional safeguards Protocol. When this Protocol came into force on 23 July, Peru became the first Latin American State fully to commit itself to the objectives of the Agency, aimed at making the safeguards system more effective and efficient and thus at enhancing the nuclear non-proliferation regime.

Moreover, in December this year, Peru will host a regional IAEA seminar to promote the signing of safeguards agreements and additional protocols among the States parties to the Treaty of Tlatelolco. Peru thereby seeks to contribute to the strengthening of the non-proliferation regime in Latin America and the Caribbean. The seminar will also enjoy the cooperation of the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean and of the Agency for the Prohibition of Nuclear Weapons in Latin America.

My country wishes to highlight here the debate that was held at the recent forty-fifth regular session of the General Conference on radiological protection and the safe management of radioactive waste, including safe transport of such materials, which led to the consensus adoption of an unprecedented resolution on that important topic. That resolution, co-sponsored by Peru, is designed to foster constructive dialogue between transporting States and those potentially affected by such activity through early notification of such shipment. It also recognizes such important concepts as the protection of island and coastal States from actual economic losses that could be caused by an accident involving radioactive material and the objective liability in such cases.

These elements, among others, will by a key contribution towards building an adequate and comprehensive international regime on the transport of radioactive material. This is a matter of profound international concern, as confirmed by the convening by the IAEA Board of Governors of a conference on this issue, to be held in 2003. Moreover, Peru would stress the significant support it has received from the IAEA in the area of technical cooperation for peaceful purposes, in particular in the context of the development plan for the Peru-Ecuador border region.

As in the past, Peru will continue to work for the priority objectives of the International Atomic Energy Agency and will support its efforts to fulfil its responsibility in promoting the safe and peaceful uses of nuclear energy and in averting their destructive use. In this regard, we appeal to the international community to provide the IAEA with the requisite financial resources so that it may continue to carry out its valuable objectives of strengthening development and international peace and security.

Mr. Dauth (Australia): I want to begin by thanking Director General ElBaradei for his comprehensive statement on the achievements of the International Atomic Energy Agency (IAEA) and the challenges it will face over the coming year. In carrying out the Agency's mandate, member States have been very well served by Mr. ElBaradei's leadership. Australia was therefore very pleased to join with others in approving his reappointment as Director General until 2005. We look forward to continuing our

close cooperation with him and the members of the Secretariat.

Australia looks forward to an even closer working relationship with the Agency in 2001-2002, when an Australian will chair the Board of Governors. As part of those responsibilities, it falls to my delegation to submit a draft resolution on the report of the IAEA to this Assembly. We hope to do so in the next few days, once the very intensive process of informal consultations currently being undertaken in Vienna has concluded.

Article 1 of the United Nations Charter lays down a lofty goal, that is, to

> "maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace".

Preventing threats to the peace requires the building of confidence between nations and the development of an effective international security system. The IAEA's system of nuclear safeguards and other verification measures make a vital contribution to pursuing this goal.

The events of 11 September have vividly demonstrated to us all the imperative of redoubling the international community's efforts to respond to global security threats, such as terrorism and the proliferation of weapons of mass destruction. The Agency's efforts to ensure that nuclear and other radioactive material is not misappropriated are vitally important, as is the observance by all States of the various guides and other documents on physical protection developed by the Agency over the years. Australia attaches particular importance to the Convention on the Physical Protection of Nuclear Material, calls upon all States to adhere to it and looks forward to the extension of its scope to cover material in domestic use, storage and transport. In this regard, Australia welcomes the Director General's decision to convene a group of experts to draft a well-defined amendment aimed at strengthening the Convention and at encouraging States to become parties to it.

Australia considers the International Atomic Energy Agency to be a central pillar of the nuclear non-proliferation regime, of which the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is the cornerstone. NPT safeguards applied by the Agency remain essential to advancing trade and cooperation in support of peaceful uses of nuclear energy. As a major uranium supplier, Australia places its uranium exports under Agency safeguards to ensure that Australian-obligated nuclear material is used only for peaceful purposes. We very much value the contribution that the Agency's safeguards make to establishing the climate of assurance under which international nuclear cooperation is possible.

More than a year has passed since the landmark outcome of the 2000 NPT Review Conference set an ambitious agenda for the international community for promoting nuclear non-proliferation, disarmament and the peaceful uses of nuclear energy. The Final Document of the 2000 Review Conference recognized that the Agency's safeguards are an indispensable component of the nuclear non-proliferation regime, and endorsed strengthening the safeguards system through adoption of additional protocols. Regrettably, the 2000 Review Conference's recognition of the importance of additional protocols has not been reflected in the rate of signature and ratification of additional protocols by States. We take this opportunity to urge States that have yet to sign or ratify an additional protocol to do so as quickly as possible. We also urge those States that have yet to conclude their NPT safeguards agreements to do so without further delay.

Australia is pleased to be the first State in which integrated safeguards are being applied. The Agency is gaining practical experience in Australia in implementing new measures such as unannounced inspections, complementary access and managed access, which will prove invaluable as integrated safeguards are extended to other countries. We hope that, as an important matter, Australia's experience will also demonstrate that integrated safeguards are not burdensome, but that they rather deliver benefits in terms of increased efficiency and effectiveness.

The ultimate goal of nuclear disarmament will not be achieved without effective measures that ensure nuclear non-proliferation. The 2000 Review Conference identified the negotiation of a fissile material cut-off treaty as one of the most urgent disarmament and non-proliferation steps the international community should take. We commend the Agency for its ongoing contribution to the dialogue on possible verification requirements for such a treaty.

There is a continuing need to remain vigilant in looking for clandestine nuclear weapons programmes and in maintaining pressure on non-compliant States. Two States continue to test the non-proliferation regime: the Democratic People's Republic of Korea and Iraq. It is of concern that the Agency is still unable to verify the correctness and completeness of the inventory declaration of the Democratic People's Republic of Korea given that that country has an international legal obligation to comply with its safeguards agreement. It is essential for successful completion of the light water reactor project that the Democratic People's Republic of Korea cooperate fully with the IAEA and come into full compliance with its IAEA safeguards agreement as soon as possible.

The concern with Iraq is that, since December 1998, the IAEA has been unable to conduct its verification and monitoring activities under relevant Security Council resolutions. We welcome the Agency's preparedness to resume such verification in Iraq as soon as circumstances allow. For its part, Iraq must now cooperate fully with the Agency and with the United Nations Monitoring, Verification and Inspection Commission to enable the Agency to fulfil the mandate entrusted to it by the Security Council.

Maintaining peace and security also has socio-economic dimensions. In that regard, Australia places great importance on the unique role played by the Agency in ensuring the safe utilization of nuclear energy and in the application of nuclear technologies in developing countries.

The 2000 NPT Review Conference, reinforced by successive General Conferences of the IAEA, has underlined the central importance of maintaining nuclear safety at optimal levels. Australia emphasizes the importance of the Agency's work in developing safety standards governing the nuclear industry and in developing legal regimes and assistance programmes to strengthen nuclear safety in member States. A particular focus for Australia is promoting improvements in the international safety regime for research reactors. Australia also continues to promote constructive dialogue between shipping and coastal States on the safe transport of radioactive material.

In line with article IV of the NPT, the Agency has been recognized by successive NPT Review Conferences as the principal agent for technology transfers for peaceful nuclear purposes. We welcome the Agency's efforts to strengthen the delivery of technical cooperation, including through the use of strategic planning tools such as thematic planning, country programme frameworks and the model project approach.

Australia has been pleased to contribute to the Agency's technical cooperation activities over the past year, both by contributing to the Agency's Technical Cooperation Fund and through direct involvement in activities which foster cooperation in the transfer of knowledge and technology for peaceful nuclear applications. Australian specialists have undertaken many expert missions and lecturing assignments as part of the activities of the technical cooperation programme, and Australia has hosted a number of IAEA meetings and training events. We also contribute significantly to technical cooperation activities through our extra-budgetary contributions to specific Agency projects. Australia has also provided strong support to the management, structure and programme of the Agency's Regional Cooperative Agreement for Asia and the Pacific.

The external environment in which the Agency operates is highly fluid, and the Agency must maintain the capacity to respond quickly and effectively to external developments, be they related to physical protection, nuclear proliferation, nuclear safety or sustainable development.

Mr. ElBaradei's comments reflect the highlights of another full year of activity by the Agency in pushing forward with its mandate to harness the atom for the benefit of humanity. Australia will continue to provide technical, financial and political support for that effort.

Mr. Sun Joun-yung (Republic of Korea): First of all, I would like to extend my sincere congratulations to Mr. ElBaradei on his re-election as Director General of the International Atomic Energy Agency (IAEA). My delegation would like to thank him and his staff for their dedication and for their untiring efforts to accomplish the Agency's mandates.

Throughout its 45-year history, the IAEA has fulfilled many important roles. It has been a steadfast advocate for the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), a mediator in favour of the peaceful use of nuclear energy, and a leader in forging international cooperation on nuclear issues. In this new century, it is imperative that the international

community continue to recognize and assert the importance of the Agency in those and other areas in order to ensure the more positive and productive uses of nuclear energy.

As a stable and economical energy source, nuclear power continues to make significant contributions to economic development, environmental conservation and the improvement of living standards around the globe. I believe that in the future the role of nuclear energy in assisting sustainable development worldwide will further increase. One upcoming project that points the way towards the broader use of nuclear power is the IAEA's International Project on Innovative Nuclear Reactors and Fuel Cycles. My Government welcomes that project and plans to contribute to its successful development.

The Republic of Korea remains at the forefront in developing advanced nuclear power technology. In particular, Korea is developing a next-generation 1,400-megawatt reactor and a system-integrated modular small reactor used for both desalination and power generation. We are proud to be among the Member States working hard to develop innovative nuclear systems to meet a wide range of global needs.

The future of nuclear energy is inextricably linked with the issue of nuclear safety. For this reason, we must make continuous efforts to promote worldwide nuclear safety. We welcome the entry into force last June of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, as an important framework for securing global nuclear safety. My Government is currently in the process of ratifying this Convention.

Regarding the safety and security of radioactive materials, my country has implemented the radiation safety information system (RASIS), which can track and monitor radioisotopes from production to disposal via the Internet. We believe that further discussions are needed at the international level to continuously improve the safety and security of radioactive materials. In this context, I would like to draw attention to my country's recent proposal to establish a worldwide information network monitoring the sale and management of radioactive materials, a proposal made during the IAEA's General Conference last month.

Furthermore, in light of the terrorist attacks of 11 September in the United States, the importance of the physical protection of nuclear material and the need to combat illicit trafficking cannot be overemphasized. In this regard, we welcome the Director General's decision to convene an open-ended group meeting of legal and technical experts next December to draft a well-defined amendment strengthening the Convention on the Physical Protection of Nuclear Material. My Government is looking forward to participating in this meeting.

The Korean Government considers non-proliferation to be the foremost prerequisite for the use and development of nuclear energy. For this reason, we have made an active contribution to all aspects of the international nuclear non-proliferation regime. One of the most essential elements of this regime is the safeguards system of the IAEA.

In this context, we are pleased to note that the Agency has concluded in its Safeguards Implementation Report (SIR) for 2000 that among the 140 States that have implemented their safeguards agreements there have been no indications of either a diversion of nuclear material or the misuse of facilities or equipment placed under the safeguard of the Agency.

In addition, the report provides even broader assurances for the seven member States with additional protocols that are in force or are being provisionally applied. The Agency was able to affirm not only that there had been no diversion of declared nuclear material, but also that there has been no indication of undeclared activities or nuclear material. My delegation commends the Agency for its endeavours to bring about these positive results.

The delegation of the Republic of Korea would also like to commend the recent efforts by the IAEA to strengthen the effectiveness of the safeguards system and improve its efficiency. We look forward to the timely completion of a conceptual framework for the integrated safeguards system. We also urge the IAEA to remain vigilant in securing cost neutrality in this project.

To enhance nuclear transparency, the Republic of Korea has for the past four years had in effect its own State system of accounting and control, in addition to the inspections conducted by the IAEA. These efforts have enabled my country to attain more than 95 per

cent of the inspection goals. Under this programme, Korea is helping the IAEA foster the experimental new partnership approach, which we hope will be developed into a new model for IAEA inspections in the future.

Since 1993 the General Conference of the IAEA has adopted resolutions urging the Democratic People's Republic of Korea to fully comply with its safeguards agreement with the IAEA. Last November the Agency conveyed to the Democratic People's Republic of Korea a detailed programme of the entire verification process. In May 2001 the Agency presented two concrete steps that could be taken with respect to the isotope production laboratory and the verification of plutonium in spent fuel rods stored in canisters at the 5 megawatt reactor facility. The General Conference of the IAEA, in its resolution GC(45)/RES/16 of 21 September 2001, inter alia, welcomes such efforts by the Agency and strongly encourages the Democratic People's Republic of Korea to respond positively and at an early date to the Agency's first concrete steps.

Thanks to the efforts of the Korean Peninsula Energy Development Organization (KEDO) secretariat and its partners, the construction work for the light-water reactor project is moving forward. Last September KEDO began the excavation of the power block, with the permission of the Democratic People's Republic of Korea. With the completion of the site arrangement and building infrastructure, KEDO is poised to proceed with this important milestone in the construction of the reactors.

Under the Agreed Framework, before the reactor's key nuclear components can be delivered, the Democratic People's Republic of Korea must come into full compliance with its safeguards agreement with the IAEA. Given the Agency's assessment that it would take three to four years to verify the correctness and completeness of the initial report of the Democratic People's Republic of Korea, we call upon the Democratic People's Republic of Korea to provide the IAEA with full cooperation in a prompt manner. Against such a backdrop, we sincerely hope that recent positive developments on the Korean Peninsula and in North-East Asia will promote full implementation of the relevant agreements.

Before closing, I would like to draw attention to the resolution adopted at the forty-third General Conference of the IAEA to amend article VI of the Agency's Statute, regarding the enlargement of the IAEA's Board of Governors. We ask all member States that have not ratified the amendment to do so promptly, so that the amendment can enter into force as soon as possible.

I conclude by affirming my delegation's unwavering commitment to the objectives of the IAEA and its strong support for the Agency's work.

Mr. Fonseca (Brazil) (*spoke in Spanish*): I am honoured to take the floor on behalf of the delegations of Argentina and Brazil to express our appreciation for the report introduced by the Director General of the International Atomic Energy Agency, Mr. Mohamed ElBaradei.

Everyone is familiar with Brazil and Argentina's active and permanent commitment to the international community's objectives of non-proliferation, nuclear disarmament and the promotion of the peaceful uses of atomic energy. Those objectives guarantee the rights of all States to carry out research on nuclear energy and to produce and utilize it for peaceful purposes. It is for this reason that Brazil and Argentina are making this joint statement today in commemoration of the tenth anniversary of the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC), and in order to announce the establishment of the Argentine-Brazilian Agency for the Application of Nuclear Energy (ABAEN).

Both of those events illustrate Brazil and Argentina's continued and permanent resolve to maintain and strengthen the bonds of friendship developed in the 1980s, when the political will first emerged in our countries to bring our societies closer together and to integrate them. Our societies' political will to enhance trust in the peaceful purposes of our respective nuclear programmes is a fundamental component of a broader commitment to the non-proliferation of weapons of mass destruction. That political will coalesced in 1991 with the creation of the ABACC, a bilateral agency aimed at applying bilateral safeguards on nuclear materials in both countries through the common accounting and control system.

That action went hand in hand with the application of the International Atomic Energy Agency's (IAEA) safeguards at every facility in Argentina and Brazil. Those safeguards take into account the bilateral control system and the entry into force in both countries of the Treaty for the Prohibition

of Nuclear Weapons in Latin America and the Caribbean.

This year we are celebrating the tenth anniversary of ABACC. Since its establishment, the Agency has been accumulating considerable experience in the fulfilment of the tasks entrusted to it. We would like to underscore the competence and professionalism of its staff and inspectors, who meet, and indeed exceed, the highest international standards, and who demonstrate the high level of technical and functional training provided by the Agency. The mandate this bilateral agency received from our countries is concrete and permanent. ABACC has been, is and will continue to be a key instrument for transparency and bilateral rapprochement. We believe that ABACC's permanent mission will continue to promote greater ties of friendship between our two countries.

In that context, it is only natural that the next steps in bilateral cooperation between Argentina and Brazil in this sphere should be in the heretofore unexplored dimension of joint endeavours in the field of the peaceful use of nuclear technology. In Buenos Aires on 14 August 2001, Argentina and Brazil signed a joint declaration establishing the Argentine-Brazilian Agency for Applications of Nuclear Energy (ABAEN).

ABAEN opens a new chapter in relations between Argentina and Brazil in the nuclear sphere by increasing cooperation in the peaceful use of nuclear science and technology. We trust that the closest possible cooperation in such areas as the nuclear fuel cycle, the production of radioisotopes, the management of radioactive waste and developing innovative technologies for power-generating reactors, among others, will yield concrete results to the benefit of both our countries. ABAEN will provide the proper conditions and synergies in this and other fields appropriate for the development and implementation of joint projects.

Furthermore, ABAEN will strengthen and complement the activities of the Brazil-Argentina Standing Committee on Nuclear Policy which, in addition to being the context in which the Agency was conceived, is also a vehicle for dialogue conducive to undertaking and coordinating political, technical and business initiatives in the nuclear sector. ABAEN will have a virtual organizational structure with representation from governmental entities and the main corporations of each country's nuclear sector. As its first task, ABAEN will, in the next 180 days, develop medium-term scenarios for Government planning in the nuclear sector, as well as a programme of action for the first year.

Apart from being a remarkable result of the process of confidence-building and transparency, the establishment of ABAEN also strengthens our relations in the nuclear area — which every day include more new projects and common objectives.

Finally, we wish to underscore the role of the IAEA as the promoter of the peaceful uses of nuclear energy and as an essential actor in the international regime for the non-proliferation of nuclear weapons.

Mr. Kmoníček (Czech Republic): Since the Czech Republic has joined the position presented by Belgium on behalf of the European Union and the associated countries, I would like to touch upon only some topics that are of particular importance to my Government.

At the outset, I would like to thank Director General ElBaradei for his comprehensive statement highlighting the progress of the Agency's activities during the past year.

First, let me share some thoughts on the role of the International Atomic Energy Agency (IAEA) at the threshold of the new millennium. The Czech Republic supports the ongoing joint efforts of the secretariat and the member States to strengthen the Agency, to increase its necessary effectiveness and efficiency and to address its budgetary constraints. Given the challenges of the twenty-first century, it is imperative to make better use of the Agency's capacities, as it is the only global platform for cooperation in the peaceful use of nuclear energy and ionizing radiation. At the same time, it is equally important to maintain and strengthen the objective character of its work, which ensures its competence and universally recognized reputation.

We cannot overstate the importance of the IAEA's responsibilities in relation to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which require continuous support by all members in terms of policies, know-how, financing and implementation of the related legal instruments. My country is about to complete the necessary domestic legislative and systemic framework for the implementation of the additional protocol, signed with the IAEA during the forty-third General

Conference. A comprehensive amendment of the Czech Atomic Act, on which the Parliament will deliberate by the end of this year, is the last prerequisite for launching a speedy ratification of the additional protocol. We are well on the way to applying the strengthened IAEA safeguards to the fullest and we reiterate our call on Member States that have not already done so to proceed likewise.

We commend the support the Agency has rendered to member States in recent years in working out and implementing important legal instruments. In this regard, let me recall the Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.

I am pleased to report that my country was among the 26 States that adhered to the Joint Convention by depositing its instrument of ratification by 20 March 2001, thereby enabling the Convention's entry into force 90 days later. I would like to take this opportunity to appeal to all Member States that have not yet done so to take the necessary steps to become a party to the Joint Convention in time to be able to attend the first review meeting of contracting parties.

The second round of reporting procedures for the Convention on Nuclear Safety is just about to start. The Government of the Czech Republic has already approved the amended text of the national report, which provides an update on the existing regulatory and legal framework as well as a case study of the Dukovany and Temelín nuclear power plants. We look forward to the second Review Meeting of the Contracting Parties, scheduled for April 2002, to demonstrate our full compliance with the requirements of the Convention.

We also welcome the Agency's role in the process of amending and reinforcing the Convention on the Physical Protection of Nuclear Material. Like the European Union, the Czech Republic is in favour of considering the need for a review conference after a well-defined draft amendment has been prepared.

At the very end of last year, the Czech Government approved an updated national energy policy. The nuclear option is maintained, and improved efforts will be made with respect to the efficient use of energy and the use of renewable energy sources. This was done in line with the new legal framework implemented in the Czech Republic for the utilization of nuclear energy and ionizing radiation. That framework is based on the following priorities: the degree of control and transparency in the nuclear industry, and the independence and diversity of expertise on safety and radiological protection.

In the context of these steps, the commissioning of the Temelín nuclear power plant is nearing its final stage. The power plant underwent a thorough licensing procedure, and, taking into account the complexity of the technology, nothing irregular has happened so far during the commissioning tests. Recognizing the international dimension of nuclear safety and of radiation protection issues, the Czech authorities and the licence-holder submitted the siting, design improvement, construction and commissioning of the power plant to the scrutiny of a number of independent peer reviews with international participation.

At this stage, let me reiterate what I said at the beginning of my statement when I underlined the role of the Agency as an information-exchange platform and an action centre for the peaceful use of nuclear energy and radiation.

Since we have learned several lessons in the course of the Temelín nuclear power plant debate, I would like to share some of them with the Assembly.

The valuable results of the peer reviews provided by the IAEA should be better advertised and explained to the public in member States. The same applies, more generally, to the philosophy of IAEA safety standards as well to the measures taken to increase the safety level of nuclear installations.

We note that member States have failed to take due account of, and even deliberately ignored, the findings made by the IAEA, especially on the safety of nuclear installations, which undermines the Agency's competence and authority. The increase in safety reviews of nuclear installations by various organizations and forums may cast doubt on the central role of the IAEA in this field. We must not allow this role to be eroded.

Let me now touch upon the issue of IAEA technical assistance and cooperation. In 2001 the Czech Republic took another step towards balancing the amount of technical support received and the assistance provided to other member States. We are gradually increasing our involvement in technical cooperation programmes for third countries, so that we

can share with them our knowledge and expertise. Earlier this year we pledged voluntary financial contributions to national technical cooperation projects in Armenia, Bulgaria and Georgia. We are continuing, as a long-term initiative, to accept fellowships and scientific visits related to upgrading national radiation protection networks in various regions of the world.

Let me also express our gratitude to the secretariat, namely to the European section of the Department of Technical Cooperation, for the excellent coordination work done in the projects in which my country takes part. I would like specifically to mention the regional initiative of countries operating nuclear power plants with VVER 1000-type reactors to review the design basis of those reactors — an initiative that is being carried out under the European regional programme.

In conclusion, let me reassure the Assembly of my Government's continued commitment to supporting and expanding the Agency's role in international cooperation in the peaceful and safe use of nuclear energy and ionizing radiation for the benefit of all member States. I would like also to express the Czech Republic's appreciation for the personal involvement of the Director General, Mr. Mohamed ElBaradei, in the promotion of the Agency's activities. We look forward to further fruitful cooperation with him in the course of his second term in office.

Ms. Lajous (Mexico) (*spoke in Spanish*): Allow me to convey the Mexican delegation's appreciation to the Director General, Mr. Mohamed ElBaradei, for his introduction of the report of the work of the International Atomic Energy Agency (IAEA) for the year 2000. Our warmest recognition goes to him for the leadership that he has shown at the helm of the Agency and for the way in which he has fulfilled the mandate entrusted to him by member States. We wish him every success in his second term in office in the leadership of the IAEA.

The appalling terrorist acts that took place on 11 September in this country have provoked worldwide condemnation. Mexico has stated its political resolve to act in concert with the international community to combat the threat to international peace and security represented by acts of terrorism. Security Council resolutions 1368 (2001) and 1373 (2001) have established a frame of reference for coordinated action. In this regard, Mexico believes that the IAEA has a role to play in combating the threat posed by the possession by terrorist groups of weapons of mass destruction. It is clear that all nuclear facilities must to be subject to the safeguards of the IAEA. We appeal to all of those States that have not yet done to so to finalize the appropriate agreements with the Agency.

Mexico will continue to urge that the application of verification measures to nuclear materials and equipment should be a priority activity for the Agency. Activities in this field have been particularly important in the light of the unequivocal commitment of the nuclear-weapon States to the total elimination of their nuclear arsenals, with a view to bringing about nuclear disarmament.

Another issue of particular importance to Mexico relates to the Agency's technical cooperation activities. We support the efforts of the Director General to promote projects in this area. We commend him for the application of concepts such as the central criterion, the sustainability of projects and the methodology of the logical framework, which will have an impact on the design and the quality of projects in this field. Mexico is promoting technical cooperation among developing countries, as evidenced by the two technical cooperation projects we are engaged in with Guatemala.

At the regional level, Mexico is honoured to hold the chairmanship of the Technical Coordination Board of the Regional Cooperation Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean. In this context, we will strive to enhance the Agreement's impact on the region, to streamline administrative procedures and to mobilize resources to support technical activities.

We would like to express our satisfaction at the adoption, at the recent General Conference of the Agency, of resolutions relating to measures to step up international cooperation in the area of nuclear, radiological, transport and radioactive-waste safety. We welcome the fact that States continue to request the assistance of the Agency in carrying out nuclear safety assessments and identifying needs and priorities in this area.

We welcome the fact that, during the most recent General Conference, progress was also made on the question of the transport of radioactive materials. The acceptance of nuclear energy as an option for the support of sustainable development is linked to issues

of safety, in particular the handling of radioactive waste and the transport of such waste.

Mexico would like to express its concern about the risks involved in the maritime transport of radioactive material and hazardous waste. At the national level, we have begun a process of reviewing and updating Mexican legislation in this field. We are in the process of drafting a regulation on the transport of radioactive material, which will incorporate the most recent recommendations of the Agency and other international agencies.

We encourage States to take into account the practices of certain dispatching and operating States in the area of radioactive materials and spent fuel and to hold timely consultations with the coastal States involved prior to the dispatch of such materials. Dialogue between the parties directly affected may be effective in terms of reducing the risks involved in the transport of radioactive materials, in full conformity with the Agency's transport regulations.

My delegation would like to place on record its gratitude to the Director General and to the secretariat of the International Atomic Energy Agency for their efforts in fully implementing the mandates entrusted to them by Member States. We are convinced that, in addition to political support, the International Atomic Energy Agency needs a solid financial foundation. We hope that States will be punctual in paying their contributions and increase the level of extrabudgetary resources to enable the Agency to carry out its programme of activities, particularly those in the area of technical cooperation.

Mr. Rosenthal (United States of America): We are meeting today just blocks from the ashes of the World Trade Center towers. The appalling acts of terrorism on 11 September underscore the fact that terrorists will use any lethal means accessible to kill innocent civilians. The countrymen of many of the States represented here were murdered on that sunny fall day. Had nuclear weapons been available to the terrorists, the carnage would have been incalculable. We deeply appreciate the condolences for the victims of the 11 September terrorist attacks that we received from the International Atomic Energy Agency (IAEA) and its member States, and we offer our condolences to all of the victims of the 11 September attacks. We are also grateful for the unequivocal condemnation of those attacks by the United Nations, as expressed in Security Council resolution 1368 (2001). Although they were intended to make us cower and to intimidate us, those acts of terror have only strengthened our resolve to counter the evil of terrorism wherever it appears.

As we reflect on those acts of terror, we have become increasingly mindful that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the IAEA have been, and will remain, critical to our collective efforts to counter any form of nuclear terrorism. The NPT establishes an essential framework for global and regional stability- by inhibiting the spread of nuclear weapons. The Treaty also facilitates and regulates cooperation among States in the peaceful uses of nuclear energy, and serves as an essential foundation for progress in nuclear disarmament. Moreover, the efforts of the Agency to deter and detect the diversion of nuclear material from peaceful to non-peaceful uses have become increasingly important over the past decade, as more States have joined the NPT and as additional nuclear material and facilities have come under the Agency's safeguards system. As such, the NPT and Agency safeguards are instruments to be used so as to prevent nuclear material from being diverted to terrorists or to States that might support them. The success of the NPT regime in general, and of nuclear safeguards in particular, has limited terrorists' targets of opportunity.

The NPT has become almost universal, and it would not be as strong today were it not for political decisions by almost all States over the past 30 years to join the Treaty. Joining includes an undertaking by all non-nuclear-weapon States to conclude comprehensive IAEA safeguards agreements. Today, however, the Agency has new tools and new authorities that are contained in the Model Protocol. Acceptance of additional protocols will further strengthen the Treaty and promote the obtaining of our shared nuclear non-proliferation objectives. The Protocol's value to non-proliferation will grow as more countries accept it and as momentum builds toward universal acceptance. We welcome the important role the Agency has played in promoting universal acceptance of additional protocols. Action on the Protocol represents an important opportunity for each State to contribute further to strengthening the barriers to the spread of nuclear weapons. The United States calls upon all States to bring into force additional protocols, as well as required safeguards agreements.

Over the past 15 years, its member States have steadily expanded the scope of the Agency's work in safeguards and physical protection, nuclear safety and technical cooperation. The resources to do this work, however, are increasingly strained due to serious constraints on the Agency's regular budget. The IAEA Director General has recently warned that, without relief soon, the Agency may fail in its critical function of verifying the location and use of nuclear material and supporting nuclear safety worldwide. These warnings were issued before the events of 11 September, which have further reinforced the importance of strengthening safeguards and the protection of nuclear material and facilities.

The possible theft of nuclear material and sabotage of nuclear facilities have long been matters of great concern. If the Agency were unable effectively to track the location and use of nuclear material worldwide, or to give adequate support to national nuclear safety measures, the consequences to the global community could be grave. We must not let this happen. Now more than ever, we need the IAEA's skills and expertise to guard against this.

The physical protection of nuclear material and facilities is essential to preventing sabotage and provides a first line of defence by ensuring that nuclear material is not diverted to unauthorized uses, including during transport. Agency guidelines and advisory services for physical protection help States to implement measures to protect their nuclear material against theft and their nuclear facilities against sabotage, thereby reducing the risk that a terrorist could steal nuclear material or seize a nuclear facility. We welcome the Director General's decision to convene an open-ended meeting of legal and technical experts to draft a well-defined amendment to strengthen the Convention on the Physical Protection of Nuclear Material. The time is right to strengthen the Convention, and we look forward to an early decision to do so.

The Agency's safeguards system provides assurance to all States that nuclear activities under safeguards are devoted solely to peaceful purposes. Safeguards dissuade potential proliferators from diverting nuclear material for nuclear weapons and help to detect, in a timely manner, diversion of this material from peaceful use. These safeguards are based on a comprehensive, interrelated system, including careful accounting for and control of nuclear material, reporting procedures, measurements and on-site inspections. The United States commends the Agency for its success in supporting this system and in applying safeguards. We reaffirm the necessity of maintaining this effectiveness while strengthening the Agency's ability to detect undeclared nuclear material and activities. Preserving and strengthening the international safeguards system is the highest priority for the United States in supporting the IAEA.

We are also pleased to note the Agency's impressive effort to intensify its work dealing with radiation sources that either have never been in or have fallen out of effective regulatory control. While many of these sources are small, posing little health or safety risk, some are larger and can pose significant risks. The Agency's effort has begun to reduce the human suffering and potential long-term health effects from orphaned radiation sources, as well as to reduce the risk that such sources could be used by terrorists as radiological weapons, with the danger of contaminating large geographic areas. However, we know that more needs to be done.

The IAEA's ability to sustain these important programmes depends on continued support from its members. The United States will continue to provide the Agency with significant financial assistance. However, in light of the events of 11 September, the United States is undertaking a careful review of both the Agency's programmes and its needs and how best to meet these needs to the fullest extent possible. We hope to complete this review soon, and we will look to other member States to be our partners in efforts to ensure that the Agency has the resources it needs to continue its important work and to adapt it to the needs of the future.

Continued progress in achieving our shared nuclear non-proliferation goals requires broad international cooperation and leadership. On behalf of my Government, I would like to thank Director General ElBaradei for his excellent report on the IAEA's work during the past year, as well as to commend the accomplishments of the Agency. We look forward to his upcoming report to the Board of Governors on means whereby the work of the Agency can be strengthened to prevent acts of terrorism involving nuclear and other radioactive materials. Just as the United Nations has been recognized for its critical role in pursuit of peace, we see the Agency as a

vital partner in our continuing journey towards international peace and security.

Mr. Ling (Belarus) (*spoke in Russian*): We first express our most sincere appreciation to the Director General of the International Atomic Energy Agency (IAEA), Mr. Mohamed ElBaradei, for his presentation of the IAEA 2000 annual report. We consider this document, which is as comprehensive as usual, a valuable contribution to enhancing the international community's awareness of the important work carried out by the Agency for international peace and security, as well as social and economic progress.

Belarus is a fully fledged member of the Agency, and has invariably and consistently supported the role that the Agency continues to play in order to provide for the effective maintenance and consolidation of the nuclear non-proliferation regimes, as well as the establishment of a reliable system of safeguards for existing atomic power plants and nuclear technologies.

My delegation takes this opportunity to re-emphasize the full commitment of the Republic of Belarus to fulfil all its international obligations in these areas. We appreciate the assistance and support that we receive from the IAEA for their effective fulfilment.

Overcoming the consequences of the disaster at the Chernobyl nuclear power plant has a special role in the cooperation between Belarus and the IAEA. We note with appreciation that today, 15 years after the accident, the Agency continues to pay a great deal of attention to this problem. Practical evidence of this attention is a number of important projects on studying, mitigating and minimizing the consequences of the Chernobyl disaster, implemented in my country with the Agency's assistance. We hope that in the course of its future work in this area the Agency will strive to develop and implement innovative approaches to international cooperation on Chernobyl, in accordance with the provisions of the relevant General Assembly resolutions.

In this context, the Republic of Belarus noted with great interest what the Director General said at the recent forty-fifth regular session of the IAEA General Conference, and in our present deliberations, about the possibility of establishing a single international consultative mechanism to collect and analyse data on the consequences of the Chernobyl disaster, and about measures that are being taken, or could be taken, to overcome these consequences. This idea deserves further comprehensive, detailed international consideration, taking into account the views expressed by all interested stakeholders, above all with regard to providing for the further sustainable development of affected regions.

Mr. Krokhmal (Ukraine): The delegation of Ukraine congratulates Mr. Mohamed ElBaradei on his reappointment as Director General of the International Atomic Energy Agency (IAEA) and commends him for submitting the annual report of the Agency and his introduction concerning its current activities.

The four fundamental areas of the Agency's expertise — technology, nuclear safety, verification and technical cooperation — make it a unique international body, combining technological objectives for development and nuclear non-proliferation safeguards tools. The strengthening of safeguards has received a qualitatively new input. Last year the Agency was able to evaluate and provide broad assurances of no diversion and no indication of the presence of undeclared nuclear material or activities at the facilities in the seven States having both a comprehensive safeguards agreement and an additional protocol. We are concerned that 50 States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) remain without a comprehensive safeguards agreement with the Agency.

Ukraine views the universal application of the safeguards system as a cornerstone of the non-proliferation regime. We call upon those States that have not yet done so to conclude or bring into force a comprehensive safeguards agreement with the Agency without delay. That would speed up progress in achieving the goals of the 2000 NPT Review Conference and consolidate the non-proliferation regime at large.

The forty-fifth IAEA General Conference once again proved that the member States of the Agency remain committed to working together in promoting the peaceful application of nuclear energy for sustainable development. Having shut down the Chernobyl nuclear power plant last December, Ukraine contributed considerably to strengthening the global nuclear safety regime.

At the same time, the follow-up actions regarding the decommissioning of the three reactors at the site, as well as the shelter, require the immediate and concerted efforts of the world community. Ukraine greatly

welcomes an initiative to establish a common forum on the consequences of Chernobyl, which the Director General mentioned in his statement. I believe that the Agency will have a central role to play in such a forum.

The Agency, with its nuclear technology component, helps its member States to resolve urgent development issues. Many member States see nuclear power as their primary alternative energy source and as a way to ensure sustainable development. Ukraine views the further development of its nuclear power sector as being inalienably connected with international safety standards applied at operational nuclear power plants and those under construction.

Ukraine welcomes the Agency's efforts to strengthen nuclear safety and radioactive waste safety and measures to improve international cooperation on transport safety, education and training, and IAEA technical cooperation activities. At the IAEA's forty-fifth General Conference, the Ukrainian delegation was pleased to note that the Agency has continued to effectively carry out these activities despite serious budget constraints.

The threat of global terrorism has underlined the importance of physical protection, accounting and nuclear non-proliferation measures to prevent entities from acquiring and converting nuclear materials and technologies. We fully share the Secretary-General's view that, while the world was unable to prevent the 11 September attacks, we can do much to help prevent future terrorist acts carried out with weapons of mass destruction. The international community should take full account of the greatest immediate danger, which might arise from a non-State group, or even an individual, acquiring and using a nuclear, biological or chemical weapon.

Ukraine has been an enthusiastic supporter of resolution GC(45)/RES/14 "Measures to improve the security of nuclear materials and other radioactive materials", adopted by the IAEA General Conference in such a timely manner. The resolution emphasizes the importance of physical protection of nuclear material to prevent its illicit use and the sabotage of nuclear facilities and nuclear materials. We hope that the Agency will embark on a thorough review of the relevant programmes to identify further measures to enhance the security of nuclear materials and facilities.

An important step in moving towards the goal of non-proliferation of weapons of mass destruction is, of course, the introduction of a global database based on publicly available materials on acts, threatened acts or suspected acts of terrorism involving such weapons. We are pleased to note that the Department for Disarmament Affairs is collaborating with the International Atomic Energy Agency and the Organisation for the Prohibition of Chemical Weapons (OPCW) in the development of approaches to carry out this task.

In conclusion, we look forward to the adoption of a comprehensive resolution on the agenda item under discussion, and hope that the General Assembly will be able to adopt by consensus the draft resolution on the report of the IAEA to demonstrate its continued support for the Agency, which is a key organization in the promotion and application of nuclear energy for peaceful purposes.

The Acting President (*spoke in Spanish*): I wish to inform Members that a draft resolution will be submitted at a future date under this agenda item.

I shall now call on those representatives who wish to speak in exercise of the right of reply.

May I remind members that, in accordance with General Assembly decision 34/401, statements in exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second and should be made by delegations from their seats.

Mr. Al-Kadhe (Iraq) (*spoke in Arabic*): My delegation wishes to exercise its right of reply in order to respond to some references in the statement made by the representative of Australia.

Before making our observations, we must congratulate Mr. Mohamed ElBaradei, the Director General of the International Atomic Energy Agency (IAEA), on his report. We would also like to express our appreciation for the IAEA's efforts in the area of nuclear non-proliferation.

The representative of Australia referred to my country on the subject of nuclear disarmament measures and related Security Council resolutions. We would like to clarify the following points:

First, we draw attention to the reports of the IAEA submitted to the Security Council on 8 October 1997 (S/1997/779) and on 7 October 1998 (S/1998/927). The latter states, in paragraph 17:

> "There is no evidence that there is any capability in Iraq to produce nuclear material in a manner that could be used for armaments. In February 1994, the Agency completed its work in removing all nuclear weapons for armaments purposes in Iraq, particularly fuel for research-reactors that were subject to the safeguards of the Agency."

Secondly, we would like to draw attention to the following statement by Mr. Scott Ritter, chairman of the inspection teams in charge of removing all weapons of mass destruction in Iraq, which appeared in the June 2000 issue of the magazine *Arms Control Today*:

> "By the end of 1998, Iraq had, in fact, been disarmed, to a level unprecedented in modern history, but UNSCOM and the Security Council were unable — and in some instances unwilling — to acknowledge this accomplishment."

Thirdly, in general, the Special Committee of UNSCOM had very clearly and unambiguously adopted an approach that could be described as one of raising obstacles and creating crises over matters that had nothing to do with disarmament or with their dossiers. That approach had begun to appear in the autumn of 1998, with a view to perpetuating the embargo against Iraq, in spite of Iraq's many efforts, by which it had materially and qualitatively upheld its obligations in accordance with the different issues within the competence of the Special Committee, as we have previously stated.

Lastly, I would like to draw the attention of delegates to the need to consider objectively the issue of disarmament in Iraq, without being influenced by the political whims of certain countries attempting to act according to their political interests. Iraq has spared no effort in fulfilling the obligations imposed on it in the hope that that would lead the Security Council to adopt a position consistent with its clear obligations towards Iraq, as mentioned in the Council's own resolutions.

The representative of Australia referred to my country. I would like to draw his attention to the fact that Mr. Mohamed ElBaradei stated a short time ago, while presenting the Agency's report, that a team from the Agency had visited Iraq for the second year in a row to verify the existence of any nuclear material. Iraq complies with the Treaty on the Non-Proliferation of Nuclear Weapons and cooperates with the Agency in accordance with the safeguards agreement between Iraq and the Agency. Therefore, I would like to state that the reference to my country made by the representative of Australia lacks objectivity.

Mr. An Myong Hun (Democratic People's Republic of Korea): My delegation would like to respond to statements by some delegations with regard to the safeguard agreements with the International Atomic Energy Agency. The so-called nuclear issue has been originated with the aim of stifling our country against the background of the international political situation prevailing in the early 1990s. It is, in essence, the product of the hostile policy of the United States towards the Democratic People's Republic of Korea.

The issue of safeguard agreements will automatically be resolved when the Democratic People's Republic of Korea and the United States agreed framework reached in 1994 is implemented and the hostile relation between the Democratic People's Republic of Korea and the United States is eased. However, the United States does not implement the agreed framework in good faith. The project for the construction of light water reactors scheduled to be completed by 2003 now stands at only ground excavation. The fate of the Democratic People's Republic of Korea and United States agreed framework depends on the will and stance of the United States side. If Japan and South Korea are to take a fair approach to this issue, they would have to urge the United States to implement the Democratic People's Republic of Korea and United States agreed framework in good faith.

Programme of work

The Acting President: Before adjourning the meeting, I should like to inform members that a draft resolution under this agenda item will be submitted at a future date.

The meeting rose at 6.15 p.m.

United Nations A/56/PV.31

General Assembly

Fifty-sixth session

Official Records

31st plenary meeting
Friday, 26 October 2001, 10 a.m.
New York

President: Mr. Han Seung-soo ..... (Republic of Korea)

The meeting was called to order at 10.05 a.m.

Agenda item 8 (*continued*) **and agenda item 16**

Adoption of the agenda and organization of work

Elections to fill vacancies in subsidiary organs and other elections

(a) Election of the members of the International Law Commission

Documentation for the election of the members of the International Law Commission

The President: As was announced at the 30th plenary meeting on Monday, 22 October 2001, I should like to consult the Assembly on a matter regarding the election of members of the International Law Commission, which will be held on Wednesday, 7 November 2001.

On that day, the Assembly will proceed to the election of 34 members of the Commission, whose terms of office are to commence on 1 January 2002. It should be recalled that, in accordance with the statute of the International Law Commission, the Secretary-General communicated to the Governments of Member States, in document A/56/117 and Corr.1, the list of candidates submitted within the required time for the submission of nominations — that is, by 1 June 2001. The statements of qualifications of the candidates are contained in document A/56/124.

Subsequent to that date, the Secretary-General received additional information concerning candidates, new candidatures as well as a withdrawal. The names of the new candidates and additional information are to be found in documents A/56/117/Add.1 and Add.2, as well as A/56/124/Add.1.

Under these circumstances, it is necessary for the General Assembly to take a decision as to whether the new candidatures should be accepted in spite of the submission of their names subsequent to the deadline and whether they should be incorporated into a consolidated list of candidates. It has been the practice of the Assembly to incorporate such late submissions into a consolidated list.

If I hear no objection, I shall take it that it is the wish of the General Assembly to request the Secretary-General to issue such a consolidated list of candidates.

It was so decided.

The President: The consolidated list of candidates will be issued under the symbol A/56/486.

I call on the representative of Sudan on a point of order.

Mr. Rahmtalla (Sudan): I apologize for interrupting the proceedings. However, with respect to the information that was given earlier concerning the elections to the International Law Commission, I would like to confirm that Africa will be allocated nine seats this time. I do so because, in some of the texts of the Secretary-General, it is not really clear as to whether Africa has eight or nine seats. But it is clear to us that

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Africa should have nine seats. There is one seat that rotates and that additional seat, this time, will be for Africa. This means accordingly that Africa will have nine seats this time.

The President: The General Assembly will take note of the statement of the representative of Sudan.

Agenda item 15

Elections to fill vacancies in principal organs

(b) Election of eighteen members of the Economic and Social Council

Letter from Portugal (A/56/467)

The President: As was announced at its 29th plenary meeting on 22 October 2001, the Assembly will first proceed to a by-election to elect a member of the Economic and Social Council, in accordance with rule 140 of the rules of procedure.

In this connection, I should like to draw the attention of members to document A/56/467, containing a letter dated 11 October 2001 from the Permanent Representative of Portugal to the United Nations. In his letter, the Permanent Representative of Portugal announces that Portugal would like to relinquish its seat on the Economic and Social Council for the year 2002, in favour of Spain.

As a result, a vacancy will occur and a new member must therefore be elected to fill the unexpired term of office of Portugal for one year, commencing on 1 January 2002.

In accordance with paragraph 4 of General Assembly resolution 2847 (XXVI) of 20 December 1971, and taking into account that the vacancy will occur from among the Western European and other States, the new member should therefore be elected from that region.

I should like to inform the Assembly that the candidate which receives a two-thirds majority of the votes of members present and voting will be declared elected. In the case of a tie vote, there will be a special restricted ballot limited to those candidates that have obtained an equal number of votes.

May I take it that the General Assembly agrees to that procedure?

It was so decided.

The President: In accordance with rule 92 of the rules of procedure, the election shall be held by secret ballot and there shall be no nominations.

Regarding the vacancy, the Chairman of the Group of Western European and other States for the month of October has informed the Secretariat that the Group has endorsed Spain.

In accordance with rule 92 of the rules of procedure, we shall now proceed to the election by secret ballot.

I should like to inform members that, as of 1 January 2002, the following States from the Group of Western European and other States will be represented on the Economic and Social Council: Andorra, Austria, France, Germany, Italy, Malta, the Netherlands and the United States of America. The names of those eight States should therefore not appear on the ballot.

Before we begin the voting process, I should like to remind members that, pursuant to rule 88 of the rules of procedure of the General Assembly, no representative shall interrupt the voting except on a point of order on the actual conduct of the voting.

I should like to seek the usual cooperation of representatives during the time of the conduct of the election. Please be reminded that, during the voting process, all campaigning should cease in the General Assembly Hall. This means in particular that, once the election has begun, no more campaign material can be distributed inside the Hall. All representatives are also requested to remain at their seats so that the voting process can proceed in an orderly manner.

We shall now begin the voting process.

Ballot papers will now be distributed. I request representatives to use only those ballot papers and to write on them the name of the one State for which they wish to vote. A ballot paper containing more than one name from the region will be declared invalid. The name of a Member State on a ballot paper that does not belong to that region will not be counted at all.

At the invitation of the President, Mr. Magaryan (Armenia), Mr. Moushoutas (Cyprus), Ms. Anagnostopoulou (Greece), Miss Marston (Jamaica) and Ms. Rajaonarivelo (Madagascar) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 10.30 a.m. and resumed at 10.45 a.m.

The President: The result of the voting is as follows:

Number of ballot papers:	176
Number of invalid ballots:	22
Number of valid ballots:	154
Abstentions:	5
Number of members voting:	149
Required two-thirds majority:	100
Number of votes obtained:	
Spain	149

Having obtained the required two-thirds majority, Spain was elected a member of the Economic and Social Council for a one-year term beginning 1 January 2002.

The President: I congratulate Spain, which has been elected a member of the Economic and Social Council.

The General Assembly will next turn to the election of 18 members of the Economic and Social Council to replace those members whose term of office expires on 31 December 2001.

The 18 outgoing members are Bolivia, Bulgaria, Canada, China, the Czech Republic, the Democratic Republic of the Congo, Denmark, Guinea-Bissau, Honduras, Indonesia, Morocco, Norway, the Russian Federation, Rwanda, Saudi Arabia, the Syrian Arab Republic, the United Kingdom of Great Britain and Northern Ireland and Venezuela.

Members will recall that Portugal relinquished its seat on the Economic and Social Council effective 1 January 2002.

As of 1 January 2002, the following States will continue to be represented on the Economic and Social Council: Andorra, Angola, Argentina, Austria, Bahrain, Benin, Brazil, Burkina Faso, Cameroon, Costa Rica, Croatia, Cuba, Egypt, Ethiopia, Fiji, France, Georgia, Germany, the Islamic Republic of Iran, Italy, Japan, Malta, Mexico, Nepal, the Netherlands, Nigeria, Pakistan, Peru, the Republic of Korea, Romania, South Africa, Spain, the Sudan, Suriname, Uganda and the United States of America. The names of those 36 States should therefore not appear on the ballots.

In accordance with paragraph 4 of General Assembly resolution 2847 (XXVI) of 20 December 1971, and taking into account the number of States that will remain members of the Council after 1 January 2002, the 18 members should be elected as follows: four from African States, four from Asian States, three from Eastern European States, three from Latin American and Caribbean States and four from Western European and other States. The ballot papers reflect that pattern.

I should like to inform the Assembly that those candidates, their number not exceeding the number of seats to be filled, receiving the greatest number of votes and a two-thirds majority of members present and voting will be declared elected. In the case of a tie vote for a remaining seat, there will be a restricted ballot limited to those candidates that have obtained an equal number of votes.

May I take it that the General Assembly agrees to that procedure?

It was so decided.

The President: In accordance with rule 92 of the rules of procedure, the election shall be held by secret ballot, and there shall be no nominations.

Regarding candidatures, the Chairmen of the respective regional Groups have informed the Secretariat that, for the four vacant seats from among the African States, the Group has endorsed four candidates: Burundi, Ghana, the Libyan Arab Jamahiriya and Zimbabwe.

For the four vacant seats from among the Asian States, first, I should like to inform members that I have received a letter dated 24 October 2001 from the Permanent Representative of Uzbekistan to the United Nations stating that his Government has decided to withdraw its candidature. Consequently, there are now six candidates: Bhutan, China, the Democratic People's Republic of Korea, India, Myanmar and Qatar.

For the three vacant seats from among the Eastern European States, the Group has endorsed three candidates: Hungary, the Russian Federation and Ukraine.

For the three vacant seats from among the Latin American and Caribbean States, there are four candidates. They are Chile, El Salvador, Guatemala and Haiti.

For the four vacant seats from among the Western European and other States, the Group has endorsed four candidates: Australia, Finland, Sweden and the United Kingdom of Great Britain and Northern Ireland.

In accordance with rule 92 of the rules of procedure, we shall now proceed to the election by secret ballot.

Before we begin the voting process, I should like to remind members that, pursuant to rule 88 of the rules of procedure of the General Assembly, no representative shall interrupt the voting except on a point of order on the actual conduct of the voting.

We shall now begin the voting process.

Ballot papers marked "A", "B", "C", "D" and "E" will now be distributed. I request representatives to use only those ballot papers and to write on them the names of the States for which they wish to vote.

A ballot paper containing more names from the relevant region than the number of seats assigned to it will be declared invalid. Names of Member States on a ballot paper that do not belong to that region will not be counted at all.

At the invitation of the President, Mr. Magaryan (Armenia), Mr. Moushoutas (Cyprus), Ms. Anagnostopoulou (Greece), Miss Marston (Jamaica) and Ms. Rajaonarivelo (Madagascar) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.05 a.m. and resumed at 12.45 p.m.

The President: The result of the voting is as follows:

Group A — African States

Number of ballot papers:	177
Number of invalid ballots:	0
Number of valid ballots:	177
Abstentions:	4
Number of members voting:	173
Required two-thirds majority:	116
Number of votes obtained:	
Burundi	170
Ghana	168
Libyan Arab Jamahiriya	163
Zimbabwe	162
Zambia	2
Congo	1

Group B — Asian States

Number of ballot papers:	177
Number of invalid ballots:	1
Number of valid ballots:	176
Abstentions:	0
Number of members voting:	176
Required two-thirds majority:	118
Number of votes obtained:	
Bhutan	146
India	145
Qatar	142
China	134

Group C — Eastern European States

Number of ballot papers:	177
Number of invalid ballots:	1
Number of valid ballots:	176
Abstentions:	3
Number of members voting:	173
Required two-thirds majority:	116
Number of votes obtained:	
Hungary	170
Ukraine	168
Russian Federation	161

Group D — Latin American and Caribbean States

Number of ballot papers:	177
Number of invalid ballots:	0
Number of valid ballots:	177
Abstentions:	0
Number of members voting:	177
Required two-thirds majority:	118
Number of votes obtained:	
Chile	140
El Salvador	135
Guatemala	125

Group E — Western European and other States

Number of ballot papers:	177
Number of invalid ballots:	1
Number of valid ballots:	176
Abstentions:	8
Number of members voting:	168
Required two-thirds majority:	112
Number of votes obtained:	
Australia	168
Finland	167
United Kingdom	167
Sweden	165

[For the complete results of this round of balloting, see A/56/PV.32.]

Having obtained the required two-thirds majority, Australia, Bhutan, Burundi, Chile, China, El Salvador, Finland, Ghana, Guatemala, Hungary, India, Libyan Arab Jamahiriya, Qatar, Russian Federation, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland and Zimbabwe were elected members of the Economic and Social Council for a three-year term beginning 1 January 2002.

The President: I congratulate those States which have been elected members of the Economic and Social Council, and I thank the tellers for their assistance in this election.

The meeting rose at 12.50 p.m.

United Nations A/56/PV.32

General Assembly

Fifty-sixth session

Official Records

32nd plenary meeting
Tuesday, 30 October 2001, 10 a.m.
New York

President: Mr. Han Seung-soo ..... (Republic of Korea)

The meeting was called to order at 10 a.m.

Tribute to the memory of His Excellency Mr. Ismat Kittani, President of the General Assembly at its thirty-sixth session

The President: Before we take up the items on our agenda for this morning, it is my sad duty to inform members of the Assembly of the recent death of His Excellency Mr. Ismat Kittani, a national of Iraq.

Mr. Kittani was President of the General Assembly at its thirty-sixth session in 1981. In addition, Mr. Kittani was a well-known diplomat who served his country in a number of very important positions.

Mr. Kittani also had a long and distinguished career at the United Nations, having served previous Secretaries-General at various intervals as Assistant Secretary-General, Chef de Cabinet and Special Adviser, as well as Special Representative of the Secretary-General on some highly sensitive missions. A skilful diplomat and negotiator, he will be remembered for his dedication and commitment to the ideals and principles of the United Nations.

On behalf of the General Assembly, I should like to convey our deepest condolences to the Government and people of Iraq and to the bereaved family of Mr. Kittani.

I now invite representatives to stand and observe a minute of silence in tribute to the memory of His Excellency Mr. Kittani.

The members of the General Assembly observed a minute of silence.

The President: I now give the floor to the Deputy Secretary-General.

The Deputy Secretary-General: We have gathered to pay tribute to an unforgettable member of our United Nations family. Ismat Kittani was a friend, colleague, mentor and inspiration to countless people. He was loved by those who knew him, and respected by all who came in contact with him. For several decades our Organization benefited from his wisdom, experience and diplomatic skills as well as his human warmth and kindness.

Both in the service of his country and as an official of the United Nations — including a distinguished term as President of the General Assembly at its thirty-sixth session — he was an accomplished diplomat, combining the discretion of the international civil servant with an intimate knowledge of the intergovernmental process. He brought skill and judgement to any assignment, no matter how sensitive. He brought professionalism and objectivity to all his work, no matter how arduous. Equally important, he brought a great deal of warmth and humour to this House.

When Ismat Kittani retired from the staff of the Organization, he said in his farewell remarks that none of us is forced to work for the United Nations, that we do so because we believe in its ideals. He was someone who helped us all sustain that belief, and who made our work here even more rewarding. As we express our

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condolences today to his family and loved ones, let us also give thanks for the example he gave all of us. Let us be inspired by it as we confront the many challenges ahead.

The President: I call now on the representative of the Sudan, who will speak on behalf of the African States.

Mr. Rahmtalla (Sudan) (*spoke in Arabic*): The General Assembly gathers this morning to eulogize the late Ismat Kittani. The record of his life is replete with distinguished and abundant diplomatic activity and achievement. He was the representative of his country, Iraq. He began his long, rich career as a diplomat in the Iraqi Foreign Ministry, and he worked as the Permanent Representative of his country to the United Nations here in New York and at its European seat in Geneva. He was a Deputy Foreign Minister of Iraq, and had the privilege of presiding over the General Assembly at its thirty-sixth session.

We also recall the distinguished performance by Mr. Kittani of his tasks and responsibilities as a distinguished, eminent and responsible official of this Organization. He was the Chef de Cabinet of five Secretaries-General. He proved his ability and demonstrated distinguished achievement, and he managed to imbue multilateral diplomacy with his wide experience.

We on the African continent remember with gratitude and appreciation Mr. Kittani when he worked as the Special Representative of the then Secretary-General to Somalia in 1992, in very sensitive and complicated circumstances.

As they join the rest of the international family in conveying its condolences on the death of Mr. Kittani, the members of the African Group pray that his soul may reside in paradise and ask God to grant patience and comfort to his family and to his many friends. We are of God, and to God we return.

The President: I call now on the representative of Sri Lanka, who will speak on behalf of the Asian States.

Mr. De Saram (Sri Lanka): I have the honour on behalf of the Asian Group to speak this morning in the Assembly's tribute to the life and memory of Ambassador Ismat Kittani. Although I had the pleasure of meeting Ambassador Kittani on a few occasions, I would not say that I knew him well. But in preparing my remarks this morning I spoke to a few who were among his closest friends. Of his personal qualities, above all else, they spoke with feeling of his poise without pretension, his kindness and his humour, of his deep personal loyalties and his helpfulness to many. Some of those with whom I spoke said that they would not be where they were today — and, like Ambassador Kittani, they have had distinguished careers at the United Nations — had it not been for the unusually kind and unexpected assistance they received from Ambassador Kittani along the way.

His was an agile, inventive, and flexible mind, they said: so suitable to what we do at the United Nations. He used to do the *New York Times* crossword puzzle every day, a friend recalled. What that friend most remembered about Ambassador Kittani was that, notwithstanding his elegance, he had the extraordinary ability to speak to everyone in the same direct, simple way.

Ambassador Kittani's career at the United Nations was, of course, one of the most distinguished there ever was. He served as Permanent Representative of his country, both at the United Nations Office at Geneva and at Headquarters here in New York. He had a knowledge of the United Nations system that was unequalled; he had held more than one high office in its agencies. He was a close adviser to five Secretaries-General and Chef de Cabinet to one, and, of course, was a former President of the General Assembly.

There will be few like him, I think, that we shall meet in the United Nations community. His was a life of extraordinary dimension; his service to the United Nations and to its purposes was devoted. Ambassador Kittani will be long remembered at the United Nations, and there will be many around the world who will be deeply saddened to learn that he has now left us.

To Ambassador Mohammed A. Aldouri and to his colleagues in the delegation of Iraq, and, through Ambassador Aldouri to the family of Ambassador Kittani, I wish on behalf of all the members of the Asian Group to convey the deepest sympathy.

The President: I call now on the representative of Georgia, who will speak on behalf of the Eastern European States.

Mr. Volski (Georgia): As Chairman of the Group of Eastern European States for the month of October, I should like to express our deep sorrow at the passing of

His Excellency Mr. Ismat Kittani, who served as President of the General Assembly at its thirty-sixth session. We share with his family, with his friends, with the people of Iraq and with the United Nations grief at the loss of a distinguished diplomat and United Nations official who worked tirelessly to bring peace and prosperity to his people as well as to the people of Somalia, whom he served during his tenure as Special Representative of the Secretary-General for Somalia.

As President of the General Assembly at its thirty-sixth session, Mr. Kittani demonstrated outstanding leadership in guiding the work of the Assembly through the complex challenges of the cold-war era. He will always be remembered for his vision and for his dedication to making that vision come true.

The President: I call now on the representative of Haiti, who will speak on behalf of the Latin American and Caribbean States.

Mr. Lelong (Haiti) (*spoke in French*): It is my sad duty today, on behalf of the Group of Latin American and Caribbean States, to request the Permanent Mission of Iraq to the United Nations to transmit to its Government, to its people and to the bereaved family our sincere condolences and deep sympathy on the death of His Excellency Mr. Ismat Kittani. It is fitting that the General Assembly is paying homage to the memory of a citizen who not only served his country in an exemplary manner in various posts in its Ministry of Foreign Affairs — including as Under-Secretary and as Permanent Representative of Iraq to the United Nations — but was also distinguished by his tangible contribution to the prestige and the success of the United Nations, where in the course of his long career he served, inter alia, as President of the General Assembly at its thirty-sixth session, as Special Representative of the Secretary-General for Somalia and Chef de Cabinet to the Secretary-General.

His was a life of dedication, responsibility and success. May his soul rest in peace.

The President: I call now on the representative of Ireland, who will speak on behalf of the Western European and other States.

Ms. Murnaghan (Ireland): On behalf of the Group of Western European and other States, I wish to add our voice to the expressions of appreciation offered here today with respect to the life and memory of Ismat Kittani. Mr. Kittani had a distinguished career at the United Nations. He is remembered for his distinguished service in the General Assembly, where he served both in front of the podium and behind it. He was President of the General Assembly during its thirty-sixth session, and he also served the United Nations as director of the executive office of Secretary-General U Thant and as Chef de Cabinet to Secretary-General Kurt Waldheim. In all, Mr. Kittani served five Secretaries-General and was entrusted by them with many sensitive missions.

Particular mention should be made of his role as Special Representative of the Secretary-General for Somalia in the early 1990s and as Special Representative of the Secretary-General to the Fourth World Conference on Women, held at Beijing in 1995. He fulfilled those roles with great distinction.

We extend our sincere condolences to his family and his friends, and ask also that the condolences of the Group of Western European and other States be conveyed, by the Mission of Iraq, to the Government and the people of Iraq.

The President: I call now on the representative of the United States of America.

Ms. Marcus (United States of America): On behalf of the United States, in sympathetic solidarity with our friends and colleagues in the United Nations community, I come before the Assembly to honour the memory of the late Assistant Secretary-General, Ismat Kittani, the thirty-sixth President of the General Assembly.

Mr. Kittani was a respected international diplomat, known for his commitment to the United Nations over a long and distinguished career. He made important contributions to the United Nations Secretariat as Secretary of the Economic and Social Council; Director of the Executive Office of the Secretary-General; Deputy to the Assistant Secretary-General for Inter-Agency Affairs; and Assistant Secretary-General.

That Mr. Kittani diligently sought peace and well-being for the nations of the world is clearly evidenced by his work with the World Health Organization, the World Health Assembly and the International Labour Organization, and as President of the Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

The United States mourns the loss of the distinguished diplomat Mr. Ismat Kittani, and honours his commitment to the noble aims of the United Nations.

Mr. Aldouri (Iraq) (*spoke in Arabic*): I should like at the outset to thank you, Mr. President, for giving us this opportunity to pay tribute, here in the General Assembly Hall, to the memory of the late Mr. Ismat Kittani.

The late Mr. Ismat Kittani was one of a small number of distinguished Iraqi citizens who served their country in many capacities. He began his career in 1952 in the Ministry of Foreign Affairs of Iraq, where he became well known, and is still remembered, for noble qualities and for his important, distinguished work. Mr. Kittani continued to be promoted within the Ministry of Foreign Affairs, becoming Permanent Representative of Iraq to the European Office of the United Nations in Geneva, as well as representing Iraq at Headquarters here in New York. He achieved the position of Deputy Foreign Minister of Iraq, represented the Iraqi Government in many international activities and was nominated by the Iraqi Government for the position of President of the General Assembly at its thirty-sixth session in 1982.

It is well known that the late Mr. Kittani was an outstanding President of the General Assembly, and made a lasting impression on the delegations of many countries, as well as in the Secretariat. It is also well known that the late Mr. Kittani held very important positions in the Secretariat of the Organization, representing the Secretary-General on important and special international missions. He will be remembered for the unique characteristics of his personality and his diplomatic and great social skills. He believed fully in the United Nations and its noble and lofty objectives.

In paying tribute to Mr. Kittani's memory, the Deputy Secretary-General referred to his many personal qualities, and I would like to extend my gratitude and thanks to the Deputy Secretary-General for her eulogy.

In conclusion, I thank all those who have offered condolences to the Permanent Mission of Iraq to the United Nations in New York and to me personally. Again, I thank you, Mr. President, for this tribute. May God Almighty have mercy on the late Mr. Kittani and preserve his soul. Verily, we are unto God and to Him we return.

The President: That concludes our tribute to the memory of His Excellency Mr. Ismat Kittani, President of the General Assembly at its thirty-sixth session.

Agenda item 15 (*continued*)

(b) Election of eighteen members of the Economic and Social Council

The President: For the record, the complete results of the round of balloting held at the 31st plenary meeting on Friday, 26 October 2001, to elect 18 members of the Economic and Social Council are as follows:

Group A — African States	
Number of ballot papers:	177
Number of invalid ballots:	0
Number of valid ballots:	177
Abstentions:	4
Number of members voting:	173
Required two-thirds majority:	116
Number of votes obtained:	
Burundi	170
Ghana	168
Libyan Arab Jamahiriya	163
Zimbabwe	162
Zambia	2
Congo	1
Democratic Republic of the Congo	1
Gabon	1
Gambia	1
Group B — Asian States	
Number of ballot papers:	177
Number of invalid ballots:	1
Number of valid ballots:	176
Abstentions:	0
Number of members voting:	176
Required two-thirds majority:	118
Number of votes obtained:	
Bhutan	146
India	145
Qatar	142
China	134
Democratic People's Republic of Korea	64
Myanmar	56
Indonesia	1
Lebanon	1
Group C — Eastern European States	
Number of ballot papers:	177

Number of invalid ballots:	1
Number of valid ballots:	176
Abstentions:	3
Number of members voting:	173
Required two-thirds majority:	116
Number of votes obtained:	
Hungary	170
Ukraine	168
Russian Federation	161
the former Yugoslav Republic of Macedonia	3

Group D — Latin American and Caribbean States

Number of ballot papers:	177
Number of invalid ballots:	0
Number of valid ballots:	177
Abstentions:	0
Number of members voting:	177
Required two-thirds majority:	118
Number of votes obtained:	
Chile	140
El Salvador	135
Guatemala	125
Haiti	108
Ecuador	3
Grenada	1
Nicaragua	1
Panama	1
Trinidad and Tobago	1

Group E — Western European and other States

Number of ballot papers:	177
Number of invalid ballots:	1
Number of valid ballots:	176
Abstentions:	8
Number of members voting:	168
Required two-thirds majority:	112
Number of votes obtained:	
Australia	168
Finland	167
United Kingdom	167
Sweden	165

Having obtained the required two-thirds majority, Australia, Bhutan, Burundi, Chile, China, El Salvador, Finland, Ghana, Guatemala, Hungary, India, the Libyan Arab Jamahiriya, Qatar, the Russian Federation, Sweden, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Zimbabwe were elected members of the Economic and Social Council for a three-year term of office beginning on 1 January 2002.

Agenda item 8 (*continued*)

Adoption of the agenda and allocation of items

Second report of the General Committee (A/56/250/Add.1)

The President: I should like to draw the attention of representatives to the second report of the General Committee (A/56/250/Add.1), concerning a request by a number of Member States for the inclusion of an additional item in the agenda. In the report, the General Committee decided to recommend to the General Assembly that an additional item, entitled "United Nations Year of Cultural Heritage 2002", be included in the agenda of the current session.

May I take it that the General Assembly decides to include this additional item in the agenda of the current session?

It was so decided.

The President: The General Committee further decided to recommend to the General Assembly that the additional item be considered directly in plenary meeting.

May I take it that the General Assembly decides to consider this item directly in plenary meeting?

It was so decided.

Agenda item 13

Report of the International Court of Justice

Report of the International Court of Justice (A/56/4)

Report of the Secretary-General (A/56/456)

The President: The report of the International Court of Justice covering the period from 1 August 2000 to 31 July 2001 is contained in document A/56/4.

May I take it that the General Assembly takes note of the report of the International Court of Justice?

It was so decided.

The President: I now call on Mr. Gilbert Guillaume, President of the International Court of Justice.

Mr. Guillaume (International Court of Justice) (*spoke in French*): It is an honour for me to address the General Assembly for the second time on the occasion of its examination of the report of the International Court of Justice — in this case, for the period 1 August 2000 to 31 July 2001.

The fact that the Assembly has for more than a decade invited the President of the Court to address it is evidence of the interest it takes in the Court as the principal judicial organ of the United Nations, and its respect for the role played by the Court in the settlement of disputes between States and in the development of international law. We are extremely grateful to the Assembly for this.

I am particularly pleased to address the Assembly today under the presidency of Mr. Han Seung-soo, Minister for Foreign Affairs and Trade of the Republic of Korea, to whom I offer my warm congratulations on his election. He has my sincerest wishes for every success in his distinguished office.

The Court has, as usual, transmitted its annual report to the Assembly; this report has been circulated, and the Assembly has taken note of it. The report shows that the Court's docket is still extremely full and that it continues to work at an unflagging pace. At this time, the Court has 22 cases before it for consideration.

These cases come from every continent and touch on an extremely wide range of issues. Three of them concern territorial disputes between neighbouring States: Cameroon and Nigeria, Indonesia and Malaysia, Nicaragua and Honduras. These are complex disputes in which the Court has played and will continue to play a prominent role, thereby contributing to the maintenance of international peace and security.

Another classic type of dispute involves cases between States concerning the treatment of foreign nationals. There are two cases in this category: the first between Guinea and the Democratic Republic of the Congo, and the second between Liechtenstein and Germany.

Finally, there are other cases linked more directly to events that the Assembly or the Security Council has had to examine, such as the destruction of Iranian oil platforms by the United States in 1987 and 1988; the consequences of the explosion of an American civil aircraft over Lockerbie, Scotland, in 1992; the crises in Bosnia and Herzegovina and Kosovo; and the situation in the African Great Lakes region.

In the course of the past year the Court has made particular efforts to address this increase in the number of disputes before it. In all, it has succeeded in concluding four cases, while three new cases were brought before it. On those occasions it delivered important decisions, about which I should now like to speak for a few moments.

In a judgment rendered on 16 March 2001, the Court began by adjudicating on the merits of a territorial dispute between Qatar and Bahrain. That judgment brought to a conclusion lengthy proceedings involving the filing by the parties of more than 6,000 pages of written pleadings, five weeks of oral hearings and deliberations that were commensurate with the difficulties that the Court encountered.

The Court found that the State of Bahrain has sovereignty over the Hawar Islands and the island of Qit'at Jaradah. It recognized the sovereignty of the State of Qatar over Zubarah, Janan Island and the low-tide elevation of Fasht al Dibal. In the light of these decisions, it fixed the boundaries of the different maritime zones appertaining to Bahrain and Qatar and restated the law applicable in this field. It also explained the influence that islands, islets and low-tide elevations may have on maritime delimitations.

The judgment thus handed down brought an end to a long-standing dispute that had given rise to serious tension between the parties. Both of them thanked the Court for this contribution to peace in the region and to the restoration of friendly relations between two neighbouring States. The Court took particular pleasure in this and hopes that the wisdom that the two countries displayed in this instance will serve as an example to others.

In the judicial year which has just come to a close, a second judgment was handed down on 27 June 2001, settling the merits of a dispute between Germany and the United States of America following the execution in the United States of two German nationals. In its decision, the Court had occasion to clarify certain provisions of the Vienna Convention on Consular Relations of 24 April 1963. Further, for the first time in its history, the Court took the opportunity to give a clear ruling on the effect of the provisional measures which it has the power to indicate to parties pursuant to article 41 of its Statute.

This issue — a delicate one — had been the subject of lively controversy in the literature as to whether or not a provisional measure is binding.

By a very large majority, the Court answered this question in the affirmative. It held that:

> "The object and purpose of the Statute is to enable the Court to fulfil the functions provided for therein, and, in particular, the basic function of judicial settlement of international disputes by binding decisions in accordance with article 59 of the Statute. The context in which article 41 has to be seen within the Statute is to prevent the Court from being hampered in the exercise of its functions because the respective rights of the parties to a dispute before the Court are not preserved. It follows from the object and purpose of the Statute, as well as from the terms of article 41 when read in their context, that the power to indicate provisional measures entails that such measures should be binding."

Thus there is no longer any room for doubt. The provisional measures indicated as a matter of urgency by the Court for the purpose of safeguarding the rights of the parties are binding on them. The Court anticipates that in future these measures will, as a result, be better executed than when the matter was subject to doubt. We hope that the Court's contribution to the maintenance of international peace and security will thereby be enhanced.

Having analysed the two most important rulings handed down by the Court over the last year, I will not go into detail on the other rulings handed down or on the 32 orders, ranging widely in content, that have been issued.

However, I should add that, since the drafting of the report — concluded on 1 July 2001 — the Court has dealt with three further cases. First, on 23 October, it delivered a ruling rejecting an application by the Philippines for permission to intervene in a territorial dispute between Malaysia and Indonesia, while at the same time taking formal note of the Philippine position.

Secondly, it commenced consideration of a counterclaim submitted by Uganda against the Democratic Republic of the Congo. Thirdly, it held a public hearing in a case between the Democratic Republic of the Congo and Belgium concerning the legality of an international arrest warrant issued a year ago by a Belgian investigating judge against the then Minister for Foreign Affairs of the Congo. Finally, at the beginning of next year it will commence consideration of the dispute between Cameroon and Nigeria, devoting five weeks of public hearings to the case.

Despite these efforts, the Court's docket remains overburdened. Several cases are ready to be heard during 2002, and solutions will have to be found in order to avoid excessive delays in examining these cases.

The Court has attempted to meet this challenge by rationalizing work within the Registry and by modernizing its working and communication methods. Major progress has been made, notably with regard to publications and communications, Intranet and Internet. However, further progress is needed, for example, in modernizing the Court's archives, and the Registry has taken this matter in hand.

The Court has also made efforts to improve its procedures. As regards the preparation of cases, it has sought increased cooperation from the parties in the functioning of justice. In particular, it has again informed them of its desire to see a decrease in the number of pleadings exchanged, in the volume of annexes to pleadings and in the length of oral arguments. The Court's comments have had the desired effect in the new cases brought before it. Thus, in the case between the Democratic Republic of the Congo and Belgium, the parties agreed to exchange only one series of written pleadings and to limit their oral arguments to one week. However, old habits die hard, and it has been necessary in other cases to impose certain restrictions on the parties in their own interest.

Since 1997, the Court has taken several measures with a view to speeding up its deliberations — a fact to which I drew the Assembly's attention last year. It has continued these efforts. The days when our predecessors dealt with cases one at a time are long gone. In the week of 15 October, for example, the Court deliberated on two cases while holding hearings in a third.

Finally, the Court has recently taken various decisions to improve its procedural rules. By amending rule 79 of its rules, it has reduced the time-limit within which preliminary objections may be raised. It has revised rule 80 of its rules in respect of counter-claims

and amended rule 52, paragraph 3, concerning the printing of pleadings. It proposes amending rule 56 concerning the production of new documents after the closure of written proceedings. It has carried out a detailed study of the practical issues involved in hearing a large number of witnesses. Finally, it has decided to convert various indications formerly given to parties into true practice directions and has implemented a procedure for reviewing those directions at regular intervals.

However, these various efforts, both administrative and procedural, would not be sufficient in themselves to redress the situation. Accordingly, last year, I appealed to the Assembly to ensure that the Court might in future have the necessary financial and human resources to perform its duties properly.

Being well aware of the financial difficulties of the United Nations, the Court has requested for the coming biennium only a moderate increase in resources. The Advisory Committee on Administrative and Budgetary Questions (ACABQ) has considered our proposals sympathetically. While it has not agreed to all our requests, it has nonetheless recommended to the General Assembly a significant increase in our budget from $20,606,700 for the biennium 2000-2001 to $22,873,500 for the coming biennium: an increase of 11 per cent. The Court is grateful to the Advisory Committee and hopes that these proposals will meet with your agreement.

If that is the case, the staff in the Registry of the International Court of Justice would be increased to 91 persons. This figure is still modest, but the increase will certainly enable the Court to work under better conditions and achieve improved results in the coming year. In the light of experience, the Court will determine whether these resources, particularly in respect of the translation service and law clerks, are sufficient. In any event, the Assembly can rest assured that, with the new resources at its disposal, the Court will do its utmost to adjudicate the current cases as expeditiously as possible, while maintaining the quality of its jurisprudence.

The Member States of the United Nations have undertaken, pursuant to Article 33 of the Charter, to seek by peaceful means the solution to any dispute the continuance of which is likely to endanger the maintenance of international peace and security. Article 36, paragraph 3, provides that legal disputes should be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court. The Court thus has a prominent role to play in the solution of legal disputes and hence in the maintenance of international peace and security.

However, the progress noted in this respect in recent years should not lead us to harbour the illusion that peace between nations can be assured by methods appropriate for the settlement of legal disputes, or even that it is for the Court to prevent and put an end to armed conflicts. The Court cannot be the sole guarantor of peace. That is a task which depends on action taken by the General Assembly and the Security Council. Furthermore, in addition to these various mechanisms, we should always remain conscious of the fact that war is, first and foremost, the creation of the human spirit and that security can be achieved only through human endeavour.

Nevertheless, the International Court of Justice can play an important role in preventing conflicts, particularly territorial conflicts, as the experience gained by the Court in all continents demonstrates. In this light, I would particularly wish to encourage States which have such disputes to refer those disputes to the Court by way of special agreement. The Court is aware that certain States in Africa, in Europe and in Asia are considering such action at the present time, and it welcomes that fact.

In this connection, I would moreover call your attention to the special fund established by the Secretary-General in 1989 to assist States unable to meet the expenses incurred in submitting a dispute to the Court. While addressing the Assembly from this very rostrum, my predecessors were concerned to emphasize the importance of such a fund for countries with limited financial resources. They also encouraged those States which are able to make more generous contributions to this fund to do so by increasing the resources at its disposal. With the permission of the Assembly, I should like to add my voice to theirs and to reiterate this appeal to all Member States and call upon them to support this fund financially with a view to enabling the poorest States to have easier access to the Court. Access to international justice should not be impeded by financial inequality.

The nineteenth century was the century that saw the development of international law and arbitration. International judicial settlement was born in the

twentieth century with the Permanent Court of International Justice, which in 1945 became the International Court of Justice. Since then, international tribunals have proliferated.

This phenomenon reflects greater confidence in justice and makes it possible for international law to develop in ever more varied spheres. However, it also raises the risk of parties competing for courts — sometimes referred to as "forum shopping" — and conflicting jurisprudence. Each year, for the last six years, successive presidents of the Court have called the Assembly's attention to these risks which on several occasions have since been realized.

I am bound to do so again. The proliferation of international courts may jeopardize the unity of international law and, as a consequence, its role in inter-State relations.

No new international court should be created without first questioning whether the duties which the international legislator intends to confer on it could not be better performed by an existing court. International courts should be aware of the dangers involved in the fragmentation of the law and take efforts to avoid such dangers. However, those efforts may not be enough, and the International Court of Justice, the only judicial body vested with universal and general jurisdiction, has a role to play in this area. For the purpose of maintaining the unity of the law, the various existing courts or those yet to be created could, in my opinion, be empowered in certain cases — indeed encouraged — to request advisory opinions from the International Court of Justice through the intermediary of the Security Council or through the General Assembly.

International society needs peace. International society needs judges to watch over the law. To that end, the Assembly can rest assured that the International Court of Justice will continue to perform the duties it currently bears, and that it is ready to fulfil other duties that may be entrusted to it. The Court expresses its gratitude for any assistance the Assembly may be able to give it.

The President: I thank the President of the International Court of Justice for his statement.

Mr. De Rivero (Peru) (*spoke in Spanish*): As the first speaker, and having personally known Mr. Kittani, allow me to say that I was witness to his great diplomatic and human abilities, as well as his services to the international community. I would therefore like to extend the deepest sympathy of the delegation of Peru to his family and to the delegation of Iraq.

First of all, I would like to thank Judge Gilbert Guillaume, President of the International Court of Justice, for his clear statement on the work of the Court for the period from August 2000 through July 2001.

Although my country has a long tradition of respect for the law, in recent times Peruvians were able to experience up close how an elected Government tried to destroy democratic institutions and the rule of law and to subjugate the political rights of its citizens. Fortunately, that sombre episode has been overcome with the re-establishment of genuine democracy and the rule of law in Peru. However, the unpleasant experience of seeing an elected Government destroy democratic institutions has served to strengthen our belief in the need to observe the rule of law and justice as necessary conditions for social harmony and economic development.

This conviction is also applicable to the international scene. The viability of the international community depends on a genuine commitment by States to respect international law and to seek solutions to their disputes through juridical means. In this connection, the International Court of Justice has a great task to accomplish in the twenty-first century, not only with regard to resolving various differences but also in producing the precedents that are a valuable element in the process of the progressive codifying of international law and in the preventive character implicit in the law. The same also applies to the various advisory opinions that have been issued by the Court.

It is in that context that the annual report of the International Court of Justice takes on special importance, especially as we have witnessed in shock the disastrous consequences of the lack of peaceful solutions to the disputes on the current international scene. We are therefore pleased that during the period under consideration 26 cases were submitted to the jurisdiction of the Court.

We welcome the settlement of the long-standing territorial and maritime dispute between Qatar and Bahrain regarding sovereignty over the Hawar Islands, sovereignty rights over the Dibal and Qit'at Jaradah shoals, and the delimitation of the maritime areas of the two States. In addition to resolving the dispute, the

decision has established important legal precedents with regard to innocent passage, emerging insular surfaces and maritime delimitation.

Mr. Botnaru (Republic of Moldova), Vice-President, took the Chair.

The Court also issued a decision regarding a substantive issue between Germany and the United States on the execution of the LaGrand brothers. That decision also produced valuable legal precedents on the juridical effects of the provisional measures provided for in article 41 of the Court's Statute. We hope that the 22 contentious cases still pending will also find a definitive solution soon.

We very much appreciate the efforts of the International Court of Justice to rationalize its work, as well as its growing use of information technology to that end. The web site established by the Court several years ago continues to compile information of value to law students, persons working in the legal field, diplomats, legislators and the general public. We also welcome the review of the Court's rules to make them more efficient and flexible. It is important not only to provide justice; it must be done in a timely manner.

However, despite the important administrative efforts made by the Court, there is a significant logistical problem, namely, the lack of necessary budgetary resources for a growing procedural load. This situation must be duly remedied to be in line with the privileged position conferred upon the Court by Article 92 of the Charter as the "principal judicial organ of the United Nations", and to ensure the Court's proper role in the new century.

The review of the Court's regulations, which is aimed at making legal proceedings more streamlined and expeditious, may also provide a good opportunity to incorporate changes designed to make judicial proceedings less onerous for both the Court and the parties before it, without affecting the right of parties to due process.

The actual reach of the Court is limited by its Statute, in that States can chose whether or not to place themselves under its jurisdiction. All necessary efforts must be made to ensure that its contentious jurisdiction is extended — ratione persone. To date only 63 States have made declarations acknowledging the mandatory jurisdiction of the Court, in accordance with article 36, paragraphs 2 and 5, of the Statute. The International Court of Justice will be universal only if the Member States maintain the genuine will that it be universal in scope. The effectiveness of international law will depend to a considerable extent on the degree of effective commitment to the obligatory binding nature of the Court's findings.

Peru, which has resolved its disputes peacefully and has resorted to the Court's jurisdiction twice, reiterates its appreciation for the International Court of Justice's fundamental task of preserving peace, and it ratifies its commitment to respect law and justice in its international relations for the sake of harmonious relations in the world.

Mr. Niehaus (Costa Rica) (*spoke in Spanish*): Allow me at the outset to thank the International Court of Justice for the valuable report we are now considering and its President, Judge Gilbert Guillaume, for his statement. We note with satisfaction the substantial improvements in this document, which allows us to appreciate in depth the invaluable work of this judicial organ to the peaceful settlement of disputes. I would also like to take this opportunity to congratulate Judge Nabil Elaraby of Egypt on his recent well-deserved election to this high tribunal.

The International Court of Justice has become an engine of peaceful relations among nations. We have seen how in some cases legal disputes can deteriorate into real threats to peace or international security because of their unnecessary and irresponsible politicization. Land disputes in particular can easily lead to military escalation. The peaceful resolution of disputes in those cases through the International Court of Justice reduces tension and resolves definitively disputes among States. Therefore, my delegation very much appreciates the contribution of the International Court of Justice to world stability.

Furthermore, as the main judicial organ of the United Nations, the International Court of Justice plays a central role in the progressive development of contemporary international law. Not only does it settle disputes among States peacefully, it also has a declaratory role in defining international law applicable to all nations. Its jurisprudence in contentious cases and advisory opinions not only determines the rights and the obligations of the parties to a conflict, but also clarifies obscure or controversial areas of law for other States. We recall and admire the many times the Court has taken progressive stances that have promoted and

consolidated the development of the international legal order.

In this context, I wish to mention the extremely important findings of the Court in the *LaGrand* case, handed down on 27 June 2001. We consider its interpretation of the Vienna Convention on Consular Relations very appropriate because it recognizes that that international instrument establishes individual rights which all Member States must respect. We also note with satisfaction its decision that provisional measures dictated by the Court impose an obligation of compliance.

Costa Rica believes that the substantial increase in the number of cases on the Court docket is a positive indication of States' will to submit to legal principles in the conduct of their international relations. Accepting the mandatory jurisdiction of the Court through optional declarations clearly demonstrates good will. In this regard, we congratulate the Government of the Kingdom of Lesotho on its declaration of this kind made during the period under review.

Similarly, we must note our concern about the existence and the presentation of new reservations on voluntary acceptance of the Court's jurisdiction. We call on all States that have not yet done so to demonstrate their commitment to the basic principles of international law and the peaceful settlement of disputes by accepting the Court's mandatory jurisdiction and withdrawing the reservations they may have interjected.

My delegation is also aware of the practical difficulties that the Court has experienced in recent years as a result of the unexpected increase in the number of cases. Undoubtedly, we must provide the Court with the necessary resources and staff to enable it to discharge obligations arising from this increase in the number of cases. In this context, we cannot forget that its budget pales in comparison to the budget of the ad hoc tribunals established by the Security Council.

That is why we welcome the decision of the Advisory Committee on Administrative and Budgetary Questions to authorize an increase in the number of staff and the budget of the Court. My delegation is prepared to support this decision and to view positively all additional requests the Court may make in the future.

My country appreciates the excellent dissemination that the Court achieves through its Internet web site. It is an invaluable service for developing countries that sometimes experience difficulties accessing the most recent jurisprudence. We trust that in the future the Court will expand its Internet web site by including the full text of all its findings and sentences handed down since its inception. Eventually the Court may wish to include jurisprudence from the former Permanent Court of International Justice.

The international community is going through a difficult period. It has never been more necessary to reaffirm the rule of law and the pre-eminence of international law. Today we must restate our resolute and unconditional commitment to the peaceful resolution of disputes.

Today we must reject unilateral action in order to resolve disputes, while embracing negotiation, dialogue, mediation and the legal resolution of disputes. This is the only way that we will be able to build a more just and peaceful world for the well-being of all peoples. That is why Costa Rica supports and has full confidence in the excellent work of the International Court of Justice.

Mr. Hasmy (Malaysia): At the outset, my delegation wishes to thank Judge Gilbert Guillaume, President of the International Court of Justice, for his presentation of the report of the Court contained in document A/56/4. The comprehensive report contains a wealth of information about the work of the Court. This is extremely useful to Member States in appreciating the complexity of the issues handled by the Court. Judge Guillaume's oral presentation this morning was most illuminating and has given us food for thought. My delegation would also like to take this opportunity to extend our felicitations to Judge Nabil Elaraby on his recent election.

My delegation would like to pay a tribute to the Court for its contribution to the peaceful settlement of international disputes, in furtherance of the first purpose of the United Nations enshrined in Article 1 of the Charter, namely:

> "to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes ... which might lead to a breach of the peace".

Undeniably, as the principal judicial organ of the United Nations, the International Court of Justice has a tremendous influence on the promotion of peace and harmony between nations and peoples of the world through the rule of law. The importance of its role in settling, in accordance with international law, legal disputes submitted by States and giving advisory opinions on legal questions referred to it by duly authorized international organs and agencies is not to be taken lightly.

Since 1946 the Court has delivered 72 judgments on disputes concerning, inter alia, land frontiers and maritime boundaries, territorial sovereignty, the non-use of force, non-interference in the internal affairs of States, diplomatic relations, the right of asylum, nationality, guardianship, rights of passage and economic rights. In the same period it has also given 24 advisory opinions concerning, inter alia, admission to United Nations membership, reparation for injuries suffered in the service of the United Nations, the territorial status of South-West Africa — now Namibia — and Western Sahara, judgements rendered by international administrative tribunals, expenses of certain United Nations operations, applicability of the United Nations Headquarters Agreement, the status of human rights rapporteurs and the legality of the threat or use of nuclear weapons. Indeed, the wisdom and fairness of this body is evident from the excellent quality of the judgments and opinions that it has handed down and their acceptance by the parties concerned.

It is this confidence in the International Court of Justice that strengthens Malaysia's belief that the Court is the most appropriate forum for the peaceful and final resolution of disputes when all efforts of diplomacy have been exhausted in vain. To this end, Malaysia, in mutual agreement with Indonesia, decided to submit the territorial dispute between them for adjudication by the Court. This dispute, which relates to the sovereignty over two islands — namely, Pulau Ligitan and Pulau Sipadan — is currently before the Court. My delegation welcomes the decision of the Court, delivered on 23 October 2001, regarding the request by our neighbour the Philippines to intervene in the case. We trust that the Court's decision will be fully respected, thereby enhancing the Court's stature and prestige among Member States. This is important in inculcating a culture of respect for international law in relations among States.

My delegation notes with interest that there has been increasing recourse to the Court by Member States over the years. This clearly demonstrates the growing confidence in the decisions of the Court and reliance on the settlement of disputes through adjudication rather than by use of force. The significant increase of cases in the Court's docket — from 9 to 13 cases between 1990 and 1997 to the current 22 cases — augurs well for the progressive development of international law and the role of the Court as a dispute settlement mechanism. It is also heartening to note that 63 States have declared the acceptance of the Court's compulsory jurisdiction in accordance with article 36, paragraph 2, of the Statute. Also noteworthy is the increasing trend of referring treaties, whether bilateral or multilateral, to the Court for jurisdiction in the resolution of disputes arising out of their application or interpretation.

In light of the increase in the Court's workload, my delegation strongly believes that there is an urgent need to strengthen the Court's capacity to efficiently dispose of the cases before it, as well as to undertake the additional administrative responsibilities arising therefrom. In this respect, we hope the financial resources allocated to the Court will correspond to its needs in dealing with the increased workload. On its part, the Court has continued to implement the various measures that it had initiated to overcome the severe strain caused by reductions in human and financial resources since 1997. It has gone to great lengths to rationalize the work of the Registry, to make greater use of information technology, to improve its own working methods and to secure greater collaboration from parties in relation to its procedures. We are pleased to note that the Court has taken steps to shorten and simplify proceedings and is continuing its revision of the Rules of the Court.

We are also pleased to note that the General Assembly had approved a supplementary budget for the year 2001 which made possible the enhancement of the Court's Department of Linguistic Matters with the creation of the much-needed posts of translators and secretarial staff. However, this is not sufficient to overcome the budgetary problems faced by the Court. For the biennium 2002-2003, the Court has found itself obliged to request substantial appropriations which are required to enhance the capacity of other departments of the Court and to provide assistance for the judges. My delegation is pleased to note that this request has

been considered favourably by the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and hopes that it will be approved by the General Assembly. It is essential that the Court continue to be afforded the resources to enable it to work as intensively and expeditiously as its increasing workload demands.

My delegation commends the Court's efforts to increase public awareness and understanding of its work in the judicial settlement of disputes and its advisory functions through its publications and lectures by members of the Court. In this regard, we commend the steps taken by the Court to update and modernize the methods of disseminating information concerning its work by utilizing the electronic media and the construction of a web site. Indeed, the Court's web site is well utilized by students, academicians, diplomats and interested members of the public. It is an extremely useful source of public access to the Court's judgments and the most recent developments in international case law.

In conclusion, my delegation believes that, like other organs within the United Nations system, the International Court of Justice should also benefit from the ongoing reform undertaken by the United Nations. A revitalized International Court of Justice would certainly contribute to its efficiency and enhance its role in the promotion of justice under international law.

Mr. Chik (Singapore): My delegation would like to congratulate the International Court of Justice for its continued good work in enforcing the rule of law in the past year. From the size and diversity of cases submitted to the Court, the increase in volume and complexity and the sustained activity in dealing with its cases, my delegation is truly impressed by the Court's ability to deal with its increased workload under very tight budgetary constraints. The international community spends only about $11 million a year on the International Court of Justice, while it spends about $206 million on the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda.

With 190 parties to the Statute of the Court, 63 States recognizing the Court's jurisdiction as compulsory and an ever expanding list of multilateral and bilateral conventions providing for the Court's jurisdiction, the Court's role is as vital as ever.

The past year has seen cases before the International Court of Justice on a myriad of international law topics, including the use of force, maritime and land boundary, diplomatic protection, state responsibility and the law of treaties. The decisions of the Court also have an even wider-ranging effect with implications for other areas of law.

For example, in the *Gabčikovo* case, the Court has gone a considerable distance towards achieving milestones in the areas of environmental and watercourses law, even though the judgment was not primarily based on those areas of law. It was the first real case dealing with substantive water law issues, establishing reasonable and equitable use as the governing principle, and also gave increased jurisprudence into the principles and standards of international environmental law. It was also the *Gabčikovo* case which affirmed the law of countermeasures and influenced the retention of article 22 in the final text on state responsibility for internationally wrongful acts developed by the International Law Commission.

Similarly, in the *LaGrand* case, questions of assurances and guarantees of non-repetition were raised as central issues, leading the International Law Commission to decide on a review of the principle of cessation and other related articles. These are some illustrations of the ongoing cooperation and exchange of views between the Court and other lawmaking and codification forums, which is so integral a part of the process of developing a coherent body of law. Referring back to the *Gabčikovo* case, for example, we also note the Court's flexibility in setting and defining the fundamental legal parameters for negotiations between parties, which could help forge results that would be mutually acceptable, rather than provide one-sided solutions.

Similarly, in the case between Qatar and Bahrain, the decision was uncommonly satisfactory to both parties. We hope to see more decisions of this kind in the future, which will contribute to good relations between States.

Singapore continues to fully support the work of the International Court of Justice and follows with interest every decision and advisory opinion produced by the Court. In these uncertain times, especially having witnessed the atrocious and lawless events which transpired in September, upholding and

enforcing the law in all its symbolism and reality is more vital than ever. The Court plays a key role in furthering international peace and security by impartially and fairly adjudicating matters involving, for example, the application of the genocide Convention in complaints of violations and the United Nations Charter on issues regarding the legitimate use of force, in some of the Court's cases.

From the substantive treatment of the law to procedural methodology, my delegation is pleased to note how the Court has striven to keep up with the times. The Registry, under the capable leadership of Mr. Philippe Couvreur and Mr. Jean-Jacques Arnaldez, has instituted improvements in the use of information technology. We appreciate the Court's constant efforts to improve its working methods and to remain efficient. This adaptability of the Court and its Registry is highly commendable.

We note in particular the Court's steps to shorten and simplify pleadings and proceedings, notably article 79 relating to preliminary objections and article 80 relating to counter-claims. These measures will certainly shorten the time of proceedings, clarify the rules and adapt them to reality.

We note, however, that the Computerization Division is particularly small. Despite its efficiency, given the current allocation of resources, my delegation is concerned that the Court may not be in a position to take advantage of some of the advancements in global technology for streamlining and simplifying its procedures, such as the use of electronic filing and the digital submission of pleadings and submissions. We recognize that training and the implementation of such improvements are intrinsically linked to the question of funding and resources, which the Court has time and again appealed for.

Indeed, it is disturbing that the Court has to constantly appeal for funding for work so important and vital to the enunciation and development of international jurisprudence. If States are seriously committed to the development and maintenance of international law, there must be a meeting of commitments by the paying up of arrears and the further dedication of greater funding.

Singapore places great emphasis on the rule of law, both domestic and international. Our Government will continue to regard with interest the decisions of the International Court of Justice and to support the Court's work in whatever way we can.

Mr. Robledo (Mexico) (*spoke in Spanish*): It is an honour for my delegation, as it has been every year in the past, to address this Assembly on the item "Report of the International Court of Justice". I am grateful to Judge Gilbert Guillaume, President of the Court, for presenting the report and for his comments. His words are always illuminating and they always stimulate our thinking.

The presentation of the report of the International Court of Justice is always an invaluable opportunity to strengthen dialogue and the ties between the General Assembly and our highest judicial organ. It also informs us in greater detail of the Court's activities over the past year.

Reading the document before the Assembly was very encouraging to my delegation. The quantity of information it contains has improved our knowledge of the way in which the Court works, the challenges it faces and possible ways of helping it to overcome its difficulties. We are grateful to the Court for having introduced some improvements to its reports and hope that it will continue to do so. The more we understand the difficulties it encounters, the easier it will be to find solutions to them.

The number of cases brought before the Court continues to grow. It is currently seized with an extensive list of cases originating in all regions of the world and covering the most diverse topics. This demonstrates the great confidence that the members of the international community place in the machinery for the judicial resolution of disputes and will henceforth contribute to strengthening international law.

Speaking of the Court's workload, we cannot fail to recognize the very responsible and timely action of the Court to confront its growing number of cases. In this respect, the consideration of the item on strengthening the International Court of Justice, promoted by Mexico in the Sixth Committee, undoubtedly contributed to increasing the resources allocated to the Court. Nevertheless, offering greater financial resources is not the only way to facilitate the processing of cases before the Court. We must also adopt measures to strengthen and streamline the handling of procedures.

Aware of this need, the Court has adopted a series of measures to review and continuously upgrade its working methods. We encourage it to pursue that path. We note once again that, whenever all the parties involved in a case cooperate to streamline proceedings, the time required to resolve it is reduced.

We note that, in the period covered by the report, two contentious cases were resolved. These were the delimitation dispute between Qatar and Bahrain and the *LaGrand* case between Germany and the United States. In both cases, the Court has made significant contributions to international law and towards the objective of facilitating the future implementation of international legal norms. We are grateful to the Court for those two decisions.

Because of the importance that Mexico attaches to the matters considered by the Court in the *LaGrand* case, we would like to avail ourselves of this opportunity to highlight some of the conclusions of the Court.

The Court resolved a long-standing debate by determining that the provisional measures set forth in its decisions, in conformity with article 41 of its Statute, are binding and create a legal obligation for the States to which they are addressed. We believe that this relevant conclusion is also valid for measures decreed by other tribunals similar to the Court, especially for regional courts that have jurisdiction in matters of human rights.

Secondly, as regards the obligations contained in article 36, paragraph 1, of the Vienna Convention on Consular Relations, the Court determined that that article confers individual rights as well as rights of States. Mexico supports this conclusion. At the same time, we would have preferred the Court to pronounce itself on all the questions presented for its consideration on this topic and to determine unambiguously that the rights contained in article 36, paragraph 1, of that Vienna Convention are of the same nature as human rights. This question has been examined in other forums, including by the Inter-American Court of Human Rights in its advisory opinion OC-16. There are strong elements in international law that allow us to reaffirm this conclusion. A pronouncement by the Court on this topic would have been very relevant. However, the fact that the Court did not go into this discussion does not in any way change the human rights character that other organs have attributed to article 36, paragraph 1, of the Vienna Convention.

Finally, as regards compensation for violations of the rights conferred upon individuals under article 36 of the Vienna Convention on Consular Relations, the Court found that an apology is inadequate in cases in which persons have been detained for extended periods or found guilty and sentenced to severe punishments. In these situations, the State that commits the violation should allow the review and reconsideration of the sentence and punishment, taking into account the violation of the rights conferred by the Vienna Convention. As in all the cases resolved by the Court, we are convinced that its decision in the *LaGrand* case will contribute to the effective implementation of instruments such as the Vienna Convention on Consular Relations, and will help States resolve potential future disputes.

There is no question about the importance of the decisions of the Court and its influence on the development and implementation of the standards of international law. We are convinced that to facilitate the work of our supreme judicial organ, States must accompany their expressions of support with the adoption of concrete measures that will strengthen compliance. In the Fifth Committee Mexico will support the granting of greater resources to the Court and will continue to see to it that it has the necessary tools to fulfil its lofty mandate in the same effective and professional manner as it has done thus far.

Mr. Kamara (Sierra Leone): On behalf of the Sierra Leone delegation, I would like to express my appreciation to the President of the International Court of Justice, Mr. Gilbert Guillaume, for his introduction of the comprehensive and very interesting report on the work of the Court. His presence here to apprise the General Assembly of the activities of the Court is an affirmation of the symbiotic relationship which exists between the two organs of this world body in the maintenance of international peace and the peaceful settlement of disputes. Today, the International Court is recognized as a symbol of international justice and the rule of law throughout the world. That this is so is in no small measure attributable to the President of the Court for the wise leadership which he has continued to provide it.

Sierra Leone attaches great importance to the International Court of Justice and all that it stands for.

By virtue of its being the principal judicial organ of the United Nations, of its permanent nature and of the wide range of legal disputes which are submitted to it for judicial settlement, the Court is today making a major contribution to a more peaceful world.

According to the report for the year under consideration, the Court's docket has continued to expand as more and more disputes are referred to it from the various regions of the world. This is a welcome development. It attests to the confidence which the Court now enjoys on the part of the international community that it can render impartial and just decisions in the peaceful settlement of disputes. In this regard, my delegation has taken particular cognizance of the role of the Court in adjudicating disputes between African States and, in so doing, helping to decrease tension in the region, as well as contributing to the advancement of States and to regional peace and stability.

We have also noted the efforts of the Court to modernize and improve its methods of work, both with respect to its procedures and with a view to reaching the public through its publications and the Internet. In this connection, we find the report itself very useful and comprehensive. My delegation welcomes these developments and believes they can contribute to the proper and effective administration of justice and the wider appreciation of the role of the Court.

Without a doubt, if the Court is to continue to operate as a modern institution and render justice speedily and efficiently, it should be provided with the necessary resources to make adjudication as expeditious as possible, while maintaining the quality of jurisprudence. The Court has demonstrated that it is cost-effective. My delegation will support the request for modestly increased resources to be made available to it.

Finally, my delegation would like to join the appeal for an increase in monetary contributions to replenish or augment the Secretary-General's Trust Fund to assist States, in particular, developing States, to settle their disputes through the Court. The fund has already justified its existence by encouraging States to bring their disputes before the Court instead of resorting to armed conflict. This not only represents a peaceful way to resolve a conflict, but is also far more economical. The appeal is therefore worthy of our support.

Mr. Onobu (Nigeria): My delegation commends the President of the International Court of Justice, Judge Gilbert Guillaume, for his lucid introduction of the report of the Court for the period 1 August 2000 to 31 July 2001 (A/56/4). The report contains a comprehensive account of the Court's activities during the period under review.

As we all know, the International Court of Justice is the only court with a universal character and general jurisdiction. It plays a pivotal role in the pacific settlement of disputes between Member States and in the development of international law. States, in exercise of their sovereignty, voluntarily submit disputes to the Court for arbitration. It is therefore significant that, as at 31 July 2001, 63 States had deposited with the Secretary-General declarations of acceptance of the Court's compulsory jurisdiction under article 36, paragraph 2, of its Statute. It is the view of my delegation that action along those lines by States which have yet to take such action would further strengthen the arbitration function of the Court in disputes between Member States.

There has been an enormous increase in the workload of the Court. Without doubt, that is a reflection of the increasing recognition of the Court's jurisdiction. It is worthy of note that, whereas in the 1970s the Court had only one or two cases on its docket at any one time, the number of cases increased dramatically between 1990 and 1997, and that as at 31 July 2001 it stood at 22. The subject matter of these cases includes a wide variety of issues, ranging from disputes over land and maritime boundaries and sovereignty over particular areas to questions on the legality of the use of force and the expropriation of foreign property. We note with appreciation that the Court was able during the judicial year under review to dispose of some of the cases before it and to issue 32 orders concerning the organization of proceedings in current cases.

It is clear from the report that the Court has been able to make significant progress in its assignment as a result of various measures it embarked upon aimed at improving its working methods. My delegation is happy to note that those measures, which started in 1997, have continued. Nigeria believes that with more access to information technology the Court is poised to achieve even greater success in the future.

It must be noted, however, that the increased workload will of necessity require an increased financial allocation to the Court. It is our view that, for the Court to cope with its increased workload and to sustain the high standard for which it has a worldwide reputation, more resources must be allocated to it. In that regard, I note with satisfaction that the General Assembly approved in December 2000 a supplementary budget for the Court to enable it to meet the cost of needed additional personnel. For the biennium 2002-2003, the Court has requested substantial appropriations. My delegation supports the allocation of more resources to the Court to enable it effectively to discharge its statutory functions and obligations.

My delegation values the various publications of the International Court of Justice. Those publications include reports of judgments, advisory opinions and orders issued by the Court. We regret the backlog in the publication of those vital documents, which are invaluable to the development and codification of international law. We believe that easy access to those publications, especially by developing countries, would create greater awareness and understanding among them of the work of the Court and of international law. We therefore welcome the new volumes published within the period under review. We urge the Court to expedite action on the publication of its various documents as soon as more resources are made available to it.

My delegation shares the view expressed in the report that, during the period 2000-2001, the Court carried out its judicial task with care and determination. We welcome the increased confidence which States have shown in the Court's ability to resolve disputes peacefully. We believe that the ideal of the primacy of the law in inter-State relations constitutes the Court's raison d'être. We urge that relations between States continue to be founded on mutual respect, desire for peace and the rule of law.

My delegation is only too aware that the task of the Court is not an easy one, considering the political coloration of some of the disputes referred to it. That notwithstanding, the Court has played its role well, as reflected in its rulings, orders and judgments. I therefore believe that it is in the interest of Member States to assist the Court to maintain the high standard of arbitration that it has set in the pacific settlement of disputes between States parties to its Statute.

Ms. Xue Hanqin (China) (*spoke in Chinese*): At the outset, I wish on behalf of the Chinese delegation to express our sincere thanks to Judge Gilbert Guillaume, President of the International Court of Justice, for his concise and excellent report on the work of the Court (A/56/4).

The International Court of Justice is not only one of the principal organs of the United Nations; it is also a world-renowned international judicial body. It has been playing an active and important role in the peaceful settlement of international disputes. Through its judgments on contentious cases and its advisory opinions, the Court contributes greatly to the application and development of international law. It has also had a far-reaching impact on international relations and on the forging of a new international order. The Court's caseload continues to grow considerably, which shows that the international community has high expectations of the Court and that the Court's work is outstanding and highly effective.

The peaceful settlement of international disputes is one of the basic principles of international law. The Court's judicial independence and impartiality, the high qualifications of its judges and its universal representation of the main forms of civilization and of the world's principal legal systems all mean that the International Court of Justice is bound to play an ever more important role in the peaceful settlement of international disputes. We have noted that, with the steady increase in the number of cases brought before the Court, the difficulties faced by the Court in terms of human and financial resources have become more palpable and more acute. We call upon the international community, especially the United Nations and the parties to the Statute of the Court, to devote greater attention to this situation and to do their utmost to enable the Court properly to fulfil its mandate and to play its proper role to the fullest.

China has a history that stretches back 5,000 years, a magnificent civilization and one of the principal legal systems of the world. We believe that representation, among the body of judges on the Court, of the main forms of civilization and of the principal legal systems of the world is essential if we are to preserve the authority and ensure the fairness of the Court. The Chinese Government is prepared to continue to contribute in this regard. The Chinese Government attaches great importance to the role of the Court in the peaceful settlement of international

disputes, and has always believed that disputes between States should be resolved through peaceful means, including through negotiation and adjudication. As always, the Chinese Government will support the work of the International Court of Justice and work tirelessly to promote the rule of law at the international level and to safeguard world peace.

Mr. Perez Giralda (Spain) (*spoke in Spanish*): It is an honour for me to address the General Assembly on behalf of the Kingdom of Spain to thank the International Court of Justice for its report and, in particular, the President of the Court, Judge Gilbert Guillaume, for his statement, as well as to reaffirm the trust that Spain places in the International Court of Justice, the principal judicial organ of the United Nations.

My Government is convinced that it is essential for States to place their trust in that lofty tribunal if it is to be able effectively to discharge its mission in settling international disputes, as well as in contributing to peacemaking through deciding on issues of international law. Spain has demonstrated such trust by accepting the mandatory jurisdiction of the Court and by undertaking, on an ongoing basis, activities that demonstrate this acknowledgement, the most recent of which was a visit by His Majesty King Don Juan Carlos to the Peace Palace on 23 October.

On that occasion, in addition to discussing other relevant issues, His Majesty emphasized the importance of the International Court of Justice as the international tribunal par excellence because of its universal and general jurisdiction and its recognized authority. It is important here to reaffirm those words of appreciation, in the context of the concern expressed by the President of the Court about the proliferation of international tribunals and the dangers of legal overlap or contradiction that that might entail. It should be recalled that on previous occasions, the President of the Court highlighted the need for a dialogue among jurisdictions in order to try to avoid the potentially harmful effects of the fragmentation of international law. Spain believes that the International Court of Justice is the most appropriate institution to channel such a dialogue, as long as the international community puts its trust in the Court and endows it with the means of discharging that function. We should also remember that both the current President of the International Court of Justice and his predecessor referred to advisory opinions as representing a possible means of establishing such a dialogue and thereby of ensuring that the International Court of Justice speaks with an authoritative voice.

Judge Guillaume's comments that Member States make frequent use of the International Court of Justice were also very encouraging. The universal character of the Court is reflected in the diversity of the parties that participate in the cases before it, as well as in the multiplicity of the complex issues with which it deals. The report of the Court to the General Assembly provides a great deal of information about different cases and other details; there is no need me to refer to them here.

Spain is, of course, fully aware of the difficulties regarding the funding of the International Court of Justice and of the negative impact that that is having. Human and material resources are scarce — although the excellent work done by the Court makes that fact seem irrelevant. Spain therefore hopes that proposals to increase the budget of the Court will elicit a favourable response from the relevant bodies.

The excellent results to which we referred can be seen in every aspect of the work of the International Court of Justice, but we would like in particular to highlight its efforts to improve its internal working methods by rationalizing the work of its secretariat, using new information technology and improving the practices of the Court itself, as well as its methods of cooperating with the parties on procedural matters. Furthermore, its efforts to disseminate information and news relating to the Court through its Web site are also very useful.

In conclusion, I would like to reaffirm that Spain has full confidence in the present and future work of the International Court of Justice.

Mr. Oe (Japan): It is a great pleasure and honour for me to address the Assembly on behalf of the Government of Japan. My delegation would like to thank President Guillaume for his lucid report on the current situation of the International Court of Justice.

There is no doubt that the importance of the International Court of Justice, given its long history and solid jurisprudence, and the confidence that States place in it, remains unchanged in the twenty-first century. Although concerns about the possible fragmentation of international law due to the proliferation of international courts have been

expressed in statements made by President Guillaume and his predecessors in recent years, the International Court of Justice, as the principal judicial organ of the United Nations, has no equal with regard to the important role it plays in the development of international law.

As a State that strongly believes in the rule of law and firmly upholds the principle of the peaceful settlement of disputes, Japan greatly appreciates the strenuous efforts and work of the International Court of Justice. Japan fully supports the spirit of the Court in striving to make further contributions to strengthening the rule of law and preventing and resolving international crises.

For its part, to show its firm adherence to the principle of the peaceful settlement of disputes, Japan has been contributing annually over the past decade to the Secretary-General's Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice. Its contributions to the Fund to date amount to $252,000. Judging from past and current biannual documents and the proposed biennium programme budgets, the Fund seems to be underutilized. In accordance with the belief that a dispute is better resolved through litigation than through armed conflict, a State that is in urgent need of resolving a dispute but without proper legal expertise or assistance would be encouraged to seek recourse to the Court by utilizing this Fund.

Japan's commitment to the Court may also be seen in the context of its long history of providing highly qualified jurists to serve as judges. Indeed, during the Permanent Court of International Justice period, three Japanese lawyers served as judges. After the creation of the International Court of Justice, Judge Tanaka served from 1961 to 1970, and currently Judge Oda is serving as the most senior judge in the Court. Judge Oda has indicated his intention to retire after finishing his current term, which ends in February 2003. The Government of Japan has decided to present a new candidate for election to the Court in the year 2002. In this way, Japan sincerely hopes to continue contributing to the International Court of Justice, whose noble mission will be all the more important in the twenty-first century.

Before concluding my statement, I wish, on behalf of the Government of Japan — which is the second largest contributor to the United Nations budget — to take this opportunity to touch upon the issue of the Court's budget and its appeal for an increase for the coming biennium.

Japan is fully aware of the situation in the International Court of Justice. Its workload has grown significantly in recent years, while the resources available to it remain limited. The General Assembly, which attaches great importance to the work of the Court, in 1999 granted it four additional posts. In addition, last December, the General Assembly approved the establishment of 12 translator posts, 2 General Service posts and temporary assistance in the additional programme budget of the Court for the biennium 2000-2001, despite the tight budgetary constraints of the United Nations, which are forcing many other bodies to cut their budgets.

Also, I would like to point out that the Advisory Committee on Administrative and Budgetary Questions, with respect to the next biennium programme budget of the Court, recommended the approval of the 16 additional posts requested by the Court. In view of United Nations budgetary constraints, the Court should not take lightly such favourable treatment by the General Assembly or the possible approval of future additional posts, although such a request may not be fully granted.

With that in mind, every State having recourse to the International Court of Justice should try its best to facilitate the efficient functioning of the Court. In response to the Court's appeal, an applicant State can reduce the burden it places on the Court and expedite the proceedings, for instance, by keeping to the minimum necessary the volume of its written pleadings and the length of oral arguments. We look forward to the Court's continuing efforts to improve, rationalize and update the practices and procedures in question in order to ensure the continued support of Member States and their taxpayers for its activities.

In conclusion, I would like to stress once again Japan's willingness to contribute to the strengthening of the International Court of Justice to enable it efficiently to accomplish the mission expected of it in the twenty-first century.

Mr. Tarabrin (Russian Federation) (*spoke in Russian*): Let me begin by thanking the President of the International Court of Justice, Judge Guillaume, for presenting the report of the body over which he presides.

The Russian Federation is convinced that the International Court has a leading part to play in defending the norms and principles of international law, as enshrined in the Charter of the United Nations, in particular the principle of the peaceful settlement of disputes between States. Although Article 33 of the Charter provides States with a broad range of means to resolve disputes arising between them, experience has shown that the Court is the most authoritative body to which a State can have recourse for a solution to the thorniest of problems. We also see the Court as being very important in the field of the prevention of the unlawful use of force in international relations.

As the primary judicial organ of the United Nations, the International Court of Justice has a central role in the development of jurisprudential practice in the field of international law. In this respect, we call for a broader use of mechanisms for judicial supervision of the provision of guarantees that violations of the norms of international law will not be permitted.

The role of the Court in interpreting the norms of international law is also a major one. In fact, it would be difficult to imagine any progressive development of international law without the Court.

The radical changes we have seen in the nature of international relations over the last 10 years have led to an increasing interest by States in the International Court of Justice as a means of settling their disputes. A clear sign of this is the great increase in the number of cases before it and also the broad geographical spread of the countries bringing cases before the Court.

We see this trend as positive, and we hope that it will continue into the foreseeable future. However, this does place an additional burden of responsibility both on the Court itself and on the United Nations as a whole. We welcome the steps that have already been taken by the Court to increase its efficiency and enhance its methods of work, which have allowed cases to be heard a little more quickly. However, the pace — with a few exceptions — remains too slow. We therefore would like to recommend that the Court should further reflect on how it could increase its productivity within the framework of the Statute, without prejudice to the quality of its judgments and advisory opinions.

On the other hand, it is equally clear that if it is effectively to fulfil its functions in a changed world, the Court need adequate resources. We cannot fail to note, in this respect, that in recent years the Court's financing has been a cause for concern. Indeed, the budget of the highest organ in the United Nations system is several times lower than that of the International Tribunal for the former Yugoslavia, which seems, in our view, to be unjustified.

It looks as though the situation will improve in the coming biennium. We support the proposal to increase the Court's budget and also allow for a modest increase in its staff, but on the understanding that this will not affect the level of the United Nations regular budget for the biennium 2002-2003.

One of the clearest of recent trends — and this is very closely connected with the confirmation of the supremacy of law in international relations — is the increasing number of international judicial organs that are being established — the International Tribunal for the former Yugoslavia, the International Tribunal for Rwanda, the International Tribunal for the Law of the Sea and the special court that is being set up for Sierra Leone — not to mention the upcoming entry into force of the Statute of the International Criminal Court.

This trend is of course positive, but it also has a negative side because it increases the risk of undermining the unity of international law and encouraging the emergence of legal precedents that might contradict one another. That in turn could lead to a situation where States succumb to the temptation of applying to whichever court they consider to be the most convenient one available. In that light, we should think about developing procedures so that, when necessary, contentious issues of international law arising in the course of the activities of any international judicial organ could be submitted to the International Court of Justice for an advisory opinion.

In conclusion, may I express our confidence that the Assembly's discussion of the report of the International Court of Justice will help to draw the international community's attention to the Court's activities and serve the cause of improving coordination among the work of the main United Nations organs in pursuing the Organization's core goals.

Mr. Kim Eun-soo (Republic of Korea): It is an honour for me to address the General Assembly on the occasion of the examination of the annual report of the International Court of Justice.

This morning Judge Gilbert Guillaume, the President of the Court, has delivered his statement on the overall situation of this principal judicial organ of the United Nations. His remarks summarized the Court's work and activities, which have been remarkable over the past year. My delegation would like to take this opportunity to commend President Guillaume on his superb leadership since his inauguration in February of last year and his success in carrying out the important missions entrusted to the Court.

Some of the Court's achievements deserve our particular attention. This year, the Court put an end to a long-standing dispute between Qatar and Bahrain by virtue of its judgment of 16 March in the case concerning *Maritime Delimitation and Territorial Questions between Qatar and Bahrain*. Due to the complicated nature of this case combining questions of both the territorial sovereignty of islands and maritime delimitation, it took the Court 10 years to reach its final decision. It is my delegation's view that the judgment, given its insightful reasoning and analysis, will be recorded and referred to as one of the most important judicial decisions in the Court's history in the field of territorial disputes and maritime boundary delimitations.

From a methodological point of view, my delegation wishes to note one particular point in the judgment of the International Court of Justice. In drawing the single maritime boundary line between Qatar and Bahrain, the Court began by provisionally establishing the median line and proceeded to make adjustments in order to achieve an equitable result. The method adopted in this case seems to be well in line with the approach taken by the Court in previous, similar cases. My delegation is of the view that the continued application of this approach in the future would be desirable for the sake of uniformity and consistency in the international jurisprudence of maritime boundary delimitation.

As pointed out by previous speakers, another landmark judgment of the Court was that of the *LaGrand* case. In its ruling, the Court recognized for the first time the binding nature of its orders for the indication of provisional measures under article 41 of the Statute. Given the ambiguity of the legal effect of provisional measures prior to this case, my delegation feels that the *LaGrand* judgment will serve to strengthen the role and authority of the Court and also encourage States to make use of it more frequently.

The number of cases coming before the Court has risen substantially during the last decade, significantly increasing its workload. The current number of cases on the Court's docket attests to this. While this development reflects the inclination of more States to seek settlement of disputes by judicial means, it has overburdened the Court and made it difficult to handle cases in a timely fashion. These problems were pointed out in last year's report of the Joint Inspection Unit on the International Court of Justice, which made several useful recommendations to help deal with this new challenge. A great deal of effort has been made so far to enhance the efficiency and effectiveness of the Court, and the outcome has generally been successful. Accordingly, my delegation welcomes the resolution of the General Assembly of 22 June, in which the Assembly noted that problems in the management of the Registry of the Court had been resolved to a large extent.

For the purpose of improving efficiency, last December the Court took an important step towards simplifying its procedures by amending two relevant articles concerning preliminary objections and counter-claims. The amendments aim to shorten the duration of the Court's proceedings, to clarify the existing rules and to adapt them to reflect more closely the practice developed by the Court. These measures are part of a series of endeavours undertaken since 1997 to rationalize the work of the Court. My country fully supports these initiatives and hopes that the Court will continue its efforts to improve efficiency, in order to provide the international community with even better legal service.

As the only international judicial institution, the International Court of Justice is now being called upon to play a more active role in promoting world peace based upon the rule of law. This can indeed be made possible through the increased use of the Court on the part of States and unreserved cooperation and support from the international community as a whole. However, a considerable increase in the Court's budget seems to be necessary in order for it to deal with its heavy workload and overcome the difficulties in its administration and management. In this regard, my delegation is of the view that President Guillaume's proposed budget for the next biennium should receive favourable consideration. A revitalized and more

efficient Court with sufficient funding, we believe, would be a great benefit to all members of the international community.

In concluding, my delegation would like to reaffirm its full confidence in, and its support for, the invaluable work of the International Court of Justice in the development and promotion of the role of law in international relations.

Mr. Kamto (Cameroon) (*spoke in French*): It is always a great pleasure and honour for the delegation of Cameroon to hear the traditional statement by the President of the International Court of Justice on the activities of the Court. I thank the President of the International Court of Justice for the clarity of his statement. I also take this opportunity to extend our congratulations not only to President Gilbert Guillaume, but also to all the members of the Court. My delegation would like to encourage the Court's tangible contribution to the maintenance of peace between nations through the law. We also commend the Court's remarkable efforts to deal with the various cases before it in the shortest time possible. The fact that there are many more cases on the Court's docket is a clear sign of the increasing confidence of States in the authority of the highest court in the world. This is something we should welcome. Let us hope that the trend continues, for the sake of international peace.

Two points in the President's statement were of particular interest to my delegation. The first concerned the LaGrand affair. The decisions handed down in this case indeed constitute a high point in the legal history of the Court, for at least three reasons. The first is the fact that the decisions are a very clear indication of the Court's sensitivity to the right to life. This is evident in the order dated 3 March 1999 containing provisional measures, which was handed down with unprecedented speed — in fact, in just 24 hours, as the case went before the Court on 2 March. The firm language of the order is a sign of the Court's keenness to save the lives of the two LaGrand brothers, who had not yet been executed. The Court demanded that Mr. Walter LaGrand not be executed until a final decision had been handed down, and that the respondent State report back to the Court all the measures it would take to comply with the order.

There was also the judgment of 27 June 2001, in which the Court pronounced itself on the substance of the case. This contributed to strengthening consular law as part of international law. The Court decided that the rules of domestic law — and in particular the rules governing legal proceedings under domestic law — could not be allowed to undermine the rules of international law, to which this particular State had subscribed. The Court affirmed that when applying its own domestic law — which prevented Karl and Walter LaGrand from putting their claims forward under the Vienna Convention on Consular Relations, of 24 April 1963 — the respondent State had violated its international obligations under the Convention.

Finally, what is particularly important is that the Court's ruling in the *LaGrand* case decides a question that has long been at the fore in debate on doctrine: the legal force of orders for the indication of provisional measures given by the highest court in the world. Last year Cameroon became one of those countries advocating making such orders binding upon those to whom they are addressed. Cameroon is not so foolish as to imagine that its view in any way influenced the decision of the Court in the *LaGrand* case, but we note with satisfaction that the Court decided that these orders are binding. The Court was absolutely unambiguous on this, saying:

> "by failing to take all measures at its disposal to ensure that Walter LaGrand was not executed pending the final decision of the International Court of Justice in the case, the United States of America breached the obligation incumbent upon it under the Order indicating provisional measures issued by the Court on 3 March 1999". *(A/56/4, p. 43)*

The delegation of Cameroon welcomes this dictum of the judgment of 27 June 2001, which fully justifies the procedure of provisional measures before the International Court of Justice.

The second matter in the report that drew my delegation's attention was the amendment of articles 79 and 80 of the Rules of Court, and the modification of the note containing recommendations to the parties. The delegation of Cameroon welcomes these changes, which have a single goal — to accelerate proceedings on preliminary objections and requests for counter-claims, thus preventing such procedural matters from paralysing the Court's activities and preventing States parties to a case before the Court from feeling as if they have been put through the mill before their cases are heard.

The high cost of Court proceedings and the hope for a speedy and definitive Court decision which inspires every applicant State are incompatible with the slow progress allowed by the provisions before they were amended. Through these amendments, the Court forces parties to a dispute to assume their responsibilities, while giving the Court's legal processes the ability to remain in control of the proceedings. International justice is bound to be more effective as a result.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 13?

It was so decided.

Organization of work

The Acting President: Before calling on the next speaker, I should now like to draw members' attention to the announcement in today's *Journal* concerning agenda item 49, "Question of equitable representation on and increase in the membership of the Security Council and related matters", the third item to be taken up this afternoon. For this agenda item there is no documentation at this time.

Following the practice of previous sessions, the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council will report to the General Assembly next year, after having concluded its work at the fifty-sixth session.

Programme of work

The President in the Chair.

The President: I should like to draw the attention of the members to two draft resolutions, under the symbols A/56/L.6 and A/56/L.7, that have been distributed to delegations this morning.

Draft resolution A/56/L.6 contains the new dates for consideration by the General Assembly of agenda item 25, entitled "United Nations Year of Dialogue among Civilizations", originally scheduled for 3 and 4 December 2001, in accordance with Assembly resolution 55/23 of 13 November 2000.

Draft resolution A/56/L.7, under agenda item 26, contains the new dates for the special session of the General Assembly on children, originally scheduled for 19 to 24 September 2001, in accordance with Assembly resolution 55/26 of 20 November 2000.

To facilitate planning for delegations, the General Assembly will take up agenda item 25 this afternoon as the first item, for the purpose of considering draft resolution A/56/L.6, followed by agenda item 26, for the purpose of considering draft resolution A/56/L.7. Thereafter, the Assembly will consider agenda item 49, as announced in the *Journal* today.

The meeting rose at 12.50 p.m.

United Nations A/56/PV.33

General Assembly

Fifty-sixth session

Official Records

33rd plenary meeting
Tuesday, 30 October 2001, 3 p.m.
New York

President: Mr. Han Seung-soo ..... (Republic of Korea)

The meeting was called to order at 3 p.m.

Agenda item 25

United Nations Year of Dialogue among Civilizations

Draft resolution (A/56/L.6)

The President: In order to expedite our work, I should now like to consult the Assembly with a view to considering immediately draft resolution A/56/L.6. In this connection, since document A/56/L.6 has been circulated only this morning, it would be necessary to waive the relevant of rule 78 of the rules of procedure, which reads as follows:

> "As a general rule, no proposal shall be discussed or put to the vote at any meeting of the General Assembly unless copies of it have been circulated to all delegations not later than the day preceding the meeting."

Unless I hear any objection, I shall take it that the Assembly agrees to consider draft resolution A/56/L.6.

It was so decided.

The President: The Assembly will now take a decision on draft resolution A/56/L.6.

May I take it that the Assembly decides to adopt draft resolution A/56/L.6?

Draft resolution A/56/L.6 was adopted (resolution 56/3).

The President: As a result of the resolution just adopted, agenda item 48, "Causes of conflict and the promotion of durable peace and sustainable development in Africa", originally scheduled for Thursday, 8 November, will now be taken up on Monday and Tuesday, 3 and 4 December 2001.

The General Assembly has thus concluded this stage of its consideration of agenda item 25.

Before we proceed further, I should like to refer to the general debate in the General Assembly at its current session. As members will recall, at the 16th plenary meeting of the General Assembly, on 3 October 2001, I informed representatives that the General Assembly will devote seven days instead of 10 days to the general debate during the session — from Saturday, 10 November, through Friday, 16 November, including Sunday, 11 November. There will be two meetings a day, the morning meetings from 9 a.m. to 1 p.m. and the afternoon meetings from 3 to 7 p.m. Consequently, there will be 14 plenary meetings instead of 20, and we will therefore have fewer hours for statements in the general debate.

As I did at the 16th plenary meeting, I will again appeal to members to urge speakers in the general debate to limit their statements to 15 minutes so that all the speakers can be accommodated within those seven days. I would be grateful for members' kind cooperation.

I should also like to inform members that list of speakers number 5 for the general debate is now ready

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

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and will be faxed to delegations some time today. Copies of the list are also available in room 2925.

Agenda item 49

Question of equitable representation on and increase in the membership of the Security Council and related matters

Mr. Valdivieso (Colombia) (*spoke in Spanish*): The consideration in the plenary General Assembly of the reform of the Security Council for several years shown that this is one of the items of the greatest importance, but also of the greatest complexity, on our agenda. We know that under your leadership, Mr. President, it will be possible to have a frank and productive discussion that will lead us to a full consideration of the central elements. This debate that must be geared towards strengthening the Organization in order to provide it with a Security Council in which all Member States can feel duly represented.

We should like to begin our statement with a reaffirmation of the centrality of the question of the veto. This privilege, conferred on only five Members of the United Nations, has implications for the functioning of the Council and for the very possibilities of agreeing on reform. While we do not disregard the fact that there is a close relationship between the exercise of the veto or the threat of its exercise on the one hand, and the functioning of the Council on the other, it is on the aspect of reform that we should like to share some brief thoughts.

As Colombia sees it, the question of the veto is tied closely to the subject of the expansion of the membership of the Council. We believe it would be contradictory to criticize this privilege, as we have been doing, and at the same time agree that there are some States that might have sufficient credentials to be granted the power to veto decisions in an expanded Council. Clearly, the existence of the veto, and the lack of political will to limit it, makes it even more difficult for us to arrive at a broad agreement that makes it possible to expand the Council.

Nonetheless, there is general consensus that the expansion should be in the category of non-permanent members. For this reason, progress in that direction would enhance the legitimacy of the Council and its credibility within and outside the United Nations.

In addition to the essential issue to which we have just referred, there are some procedural questions on which we should like to make a few comments.

First, we favour intensifying the productive dialogue between the General Assembly and the Security Council on the item that is now before us. The exchange of views we had in June of this year in one of the sessions of the Open-ended Working Group served to highlight the fact that non-members of the Council have valid concerns about the Council's activities and working methods that should be duly considered by members of that body. This example should be followed during the meetings of the Working Group next year. We wish to affirm, as of now, our readiness to participate once again and to contribute to the success of that exchange.

Secondly, we wish to emphasize that the Open-ended Working Group continues to be the appropriate forum to discuss reform of the Security Council in all its aspects. Colombia believes that it would be inconceivable to create alternative forums in which only a few would participate, when we have an open, democratic, transparent and representative mechanism to consider substantive items — cluster I — and procedural issues — cluster II.

Some will say that the Working Group has failed because there has not been any significant progress in the reform of the Council. But the cause of this — if it is a fact — cannot be the format we are using in considering the subject of reform, but, rather, the pernicious combination of the lack of realism in the aspirations of some members and the lack of political will to achieve reform on the part of others.

As elected members of the Council, we wish to express, thirdly, our commitment to do everything in our power to implement some of the suggestions that have been made in the Working Group on procedural issues.

Just recently, we have contributed to bringing about the convening of the working group on documentation and procedures despite some disagreement and reluctance on the part of some members of the Council and of prominent Secretariat officials. We commend the courage and decisiveness shown by Ambassador Richard Ryan of Ireland, President of the Council during the month of October, in his efforts to bring about that meeting. We will try to ensure that the opinions expressed by those who will be

participating in the debate on the report submitted by that body to the General Assembly will be appropriately taken into consideration.

I wish to conclude this statement by affirming our commitment to the achievement of comprehensive reform of the Security Council in all its aspects. The new structure of the international system and the current nature of the threats to international peace and security will give rise to tremendous responsibilities for each of our States. It is a new context that requires a more sound debate on the way of maximizing the legitimacy and the representativity of the Security Council.

Mr. Satoh (Japan): At the outset, I would like to express my gratitude to the former President of the General Assembly, Mr. Harri Holkeri, for the leadership he demonstrated on Security Council reform. I also thank him, Ambassador De Saram of Sri Lanka and Ambassador Ingólfsson of Iceland for their efforts in preparing the comprehensive report.

We are now experiencing changes of great magnitude in international politics. In the aftermath of the terrorist attacks against the United States on 11 September, nearly all States Members of the United Nations condemned these acts of terrorism and have been engaged in various forms of cooperation, recognizing that efforts to bring to justice those responsible for the attacks should be given highest priority on the international political agenda. This fact symbolizes a new trend in international cooperation.

Terrorist acts per se are not new phenomena. However, the events which took place on 11 September, by the viciousness of their means and the great number of their victims, have shown us, in an extremely cruel manner, that eliminating the threat of terrorism is the most urgent issue in international politics. Thus the countries of the world have come together to work towards their common goal of eliminating terrorism. The fact that 171 representatives condemned terrorism in their statements before the General Assembly clearly demonstrates the magnitude of the outrage of the international community at these terrorist acts.

Terrorist acts are different in character from both conflicts between States and internal confrontations, and the associated violence. It is said that one cannot remain neutral in the face of terrorism, but, on the other hand, defining terrorism is not an easy task. It is especially difficult to prevent terrorist acts, because terrorists are not easily distinguishable; in many cases, they are unidentifiable. However, the attacks of 11 September have shown us that terrorists can plot attacks against States which are similar in scale to a national military operation.

For this reason, the international community needs a new focus and new measures to deal with terrorism. Focusing on the financial resources of terrorists and promoting intelligence cooperation on terrorists are pertinent examples of this new approach. In addition, the possibility of terrorists' using nuclear, biological, or chemical weapons is becoming an increasingly realistic topic for discussion, and this justifies the importance of making anti-terrorism measures a priority item on the international political agenda.

What I have mentioned so far has significant implications for Security Council reform, which is the agenda item we are considering at today's meeting. First, as is evident in its resolution 1373 (2001), the Security Council must focus on an ever-wider range of areas. In order to decide on how to counter global terrorism effectively, the Security Council requires knowledge and expertise in a wide variety of fields, ranging from internal security to international financing.

Second, as is also implied in Security Council resolution 1373 (2001), in order to ensure the implementation of resolutions adopted by the Security Council, the cooperation of all Member States is required in a broad range of areas, including domestic measures such as consolidating laws and systems for monitoring and regulating cross-border movements of persons, goods, and even financial resources, as well as intelligence cooperation in various fields.

I recognize that at present the Security Council is doing its best to tackle these new challenges. However, this does not diminish the importance of realizing Security Council reform as early as possible. On the contrary, the need to strengthen international cooperation to fight terrorism underlines the importance of accelerating our efforts for Security Council reform by casting light on the issue of the legitimacy and effectiveness of the Council from new angles.

This is not the only reason why Security Council reform is necessary. Looking back at the activities of

the Council in the 1990s, we note that the scope of perspectives and the variety of human and material resources required for the maintenance of international peace and security have already expanded, and, indeed, will continue to expand. The peacekeeping operations of the United Nations, for example, are not only once again increasing in number, but their mandates are also expanding to cover broad areas ranging from the disarmament, demobilization and reintegration of ex-combatants, as seen in the case of Sierra Leone, to civil administration and development, as witnessed in Kosovo and East Timor. The Security Council has also come to be concerned with such issues as humanitarian assistance, particularly for refugees and internally displaced persons, and HIV/AIDS.

Moreover, as we look ahead to the future, when the Security Council considers the issue of realizing durable peace and stability in Afghanistan, which is closely related to the counter-terrorism measures we are engaged in now, it is clearly important to examine this issue in a way that envisages the political stability, economic and social reconstruction and development of Afghanistan, in addition to relief for refugees and internally displaced persons — an issue which has already become serious.

On the other hand, it goes without saying that, as seen on the Korean Peninsula and in the Middle East, the world is not yet free from military standoff's and vicious cycles of violence, which have persisted since the Cold War era. There are still no prospects for a solution to the Iraqi issue. And there are conflicts in Africa which are yet to be resolved.

Considering these expanding responsibilities of the Security Council, it is imperative that the legitimacy and effectiveness of the Council be enhanced through its reform. This is necessary because the present composition of the Security Council does not reflect the reality of today's international community.

The discussion on Security Council reform began in 1993 against the backdrop of the growing mood to search for a harmonious world order, prompted by the end of the cold war. However, the discussion has not yet shown any sign of progress, despite the fact that it has entered its eighth year. This situation is very disappointing to many countries, particularly since, in the course of the debate at the Millennium Summit and the General Assembly last year, it has become apparent that the great majority of Member States affirmed the necessity for Security Council reform.

I would therefore like to emphasize the importance for all of us to tackle the issue of Security Council reform with renewed enthusiasm and resolve, at this time when a trend of new international cooperation is growing in international politics.

On the closing day of the previous session of the General Assembly, the former President, Mr. Holkeri, offered three suggestions on how to move Security Council reform forward based on opinions he received from Foreign Ministers of Member States in response to his own initiative. They are to move the discussion to a higher political level; to approach comprehensive reform step by step; and to make the question of the veto part of these discussions. We believe that these suggestions merit thorough consideration.

In particular, we consider it advisable to focus our discussions on the question of the size of the expanded Council as the next step in a step-by-step approach towards the attainment of a final reform package. Furthermore, although this is a proposition to be taken up in the future, in the event concrete progress towards Security Council reform is not seen ten years after deliberation on this issue began, we believe it would be worthwhile to consider creating an opportunity for the political-level representatives of Member States to assess the work that has been done so far and to seek a way to move forward.

It is the mission of all Member States to give shape to the enthusiasm shown by Member States for Security Council reform at the Millennium Assembly and to move our discussion forward to that end. In recognition of this fact, the Government of Japan will continue its efforts to advance our discussion on reform, cooperating with many other Member States that share the same view. In that effort, I respectfully request the understanding and support of Member States.

Mr. Baali (Algeria) (*spoke in French*): Our debate on Security Council reform comes this year at a time marked by the growing discontent and sensation of frustration numerous delegations feel with regard to the Council. In a time when all institutions have striven to adapt to a new international reality, the Council still struggles to find its identity and genuinely embark on the road to reform and change. It is a time when those same delegations are ever more vehemently expressing

their wish for the General Assembly to recover its lost prerogatives and take its proper place at the heart of the Organization that gathers us here.

The discussions we have engaged in for the last eight years, which, over the years, have lost the fire that once nourished and the spirit that sustained them, have not led so far to any tangible result concerning the enlargement of the Council or to any appreciable improvement in its functioning. This state of affairs is essentially explained by the fact that — despite the upheavals and transformations in international relations in recent decades, due in part to the arrival on the world scene of dozens of new independent nations — this Organization and its principal organs continue to function according to the logic and constraints of a geopolitical order belonging to a past age.

The Security Council is at the centre of our system for collective security. It is the place where the positions, concerns and interests of the powerful nations are expressed and occasionally clash. Accordingly, the pressing need for Council reform poses a formidable challenge and a test of the declarations of intent made by our heads of State, at the time of the Millennium Summit, on strengthening the United Nations. The measures envisaged included thoroughgoing Security Council reform and the reassertion of the General Assembly's central role as the United Nations principal deliberative and representative organ.

We should recall that the importance and sensitivity of the question of Council reform was demonstrated once again by the great number of speakers who took the floor during last year's General Assembly debate; the vast majority of them agreed in recognizing, as does Algeria, that the Council, created immediately after the Second World War, no longer reflects the geopolitical realities of today's world and that its structure and methods of operation should therefore undergo a thorough transformation if it hopes to continue carrying out its international responsibilities with complete legitimacy and the required effectiveness.

Improving the functioning and working methods of the Council responds to a concern for its effectiveness and transparency. In this regard, my delegation welcomes the increasingly active role of the Security Council in the prevention and settlement of international crises and conflicts. We also note with satisfaction that the Council has introduced some positive measures to lend greater transparency to its work, particularly in opening briefings by the Secretariat to all Member States. We nevertheless believe that it is necessary for the Council to finally give definitive form to its rules of procedure and to institutionalize the arrangements regarding the various measures it has already taken to enhance transparency and its working methods so that the positive changes that have been made are not subject to the will of a given President or other member of the Council.

However, we note with regret that closed meetings — in which all the important issues are dealt with and where decisions affecting Member States are in fact taken — remain the normal practice, even though, to the contrary, those meetings should be the exception. We also note that those who hold the exorbitant power of the veto increasingly determine the final outcome of the Council's deliberations in advance among themselves. In addition, my delegation would like to express its regret regarding the fact that although the Council should, in conformity with Article 24 of the Charter, act according to the purposes and principles of the Charter, some members of the Council sometimes act as if they had in mind only defending and promoting their own national interests.

Moreover, my delegation would like to stress in particular the need for the Council to provide in the report it presents to the General Assembly by virtue of Article 24, paragraph 3, a timely, detailed, complete and analytical account of its work — and not simply a compilation, as was again the case this year. That should enable Member States to determine the extent to which the Council has been able to take into account the resolutions of the General Assembly in the decisions the Council takes on the issues that fall under the competency of both principal organs, as well as the suggestions and proposals made by Member States aimed at establishing more balanced, harmonious and fruitful relations between the two.

My delegation had hoped that, like the elected members, the permanent members of the Council would also take part in the animated and substantial debate that took place when the Council's report to the General Assembly was taken up. We would also be truly pleased to learn from both permanent and elected Council members that this year's debate did not leave them indifferent and that it will have an effect on the

functioning of the Council and on its future relations with the General Assembly.

My delegation also believes that it will be necessary for the Council to consult regularly and continuously with States directly and indirectly involved in conflicts discussed by the Council, as well as with regional and subregional organizations concerned. The Council should also take measures to give greater effect to Article 50 of the Charter, which deals with the right of every State to consult the Council if it finds itself in a difficult situation because of a preventive or coercive measure taken by the Council.

Along the same lines, greater efforts should also be made to involve troop-contributing countries in the development of the mandates for forces deployed by the United Nations. In this regard, we welcome the Council's adoption of a statement on cooperation with troop-contributing countries so as to develop a new spirit of partnership, cooperation and trust.

Finally, it would be advisable for the Council to devote itself to carrying out its mandate according to the Charter, and not to exercise any functions not explicitly conferred upon it by the Charter. It is not the Council's role to legislate; that is the role of States. Nor is it the Council's role to deal with economic and social matters; that is the role of the General Assembly and of the Economic and Social Council. The Council's primary responsibility is the maintenance of international peace and security. That is a sufficiently difficult, complex and demanding role, to which the Council should devote itself fully and without distraction.

What is nevertheless a cause of great concern and profound frustration for my delegation is the total lack of progress on matters of substance. Whether with regard to the size and composition of the Council, the criteria for choosing new permanent members or the question of the veto — to cite just a few examples — far from the achievement of desirable compromises, the gulfs separating the various positions have grown and become more pronounced, with each country holding on to its position and appearing unwilling to compromise or demonstrate flexibility.

This state of affairs can be attributed, in large measure, to the particularly sensitive and complex nature of the exercise and to the significant stakes associated with it. It is also due to our desire to undertake comprehensive and real reform of the Council. It should be underscored that this is also due to the lack of political will among a small number of delegations that — in addition to never having made an effort to put forth ideas that would move the reform process forward — have for some time tried to blame the blockage in the reform process on the working methods of the Open-ended Working Group, whose two Vice-Chairmen, the Ambassadors of Sri Lanka and Iceland, I would like to commend for their competence and dedication. The Working Group's methods are in fact no different at all from those of any other working group of the General Assembly.

With regard to the matter of the veto, my delegation believes that it is intrinsically linked to the enlargement of the Council, the consideration of which remains at the heart of the problem of reforming the Council. My delegation fully endorses the idea backed by almost every delegation, which holds that the veto is anachronistic, discriminatory and undemocratic. That being the case, my delegation would like to see progressive restrictions on this privilege, which should be limited only to issues under Chapter VII of the Charter, until its total elimination. While we wait for the exercise of this privilege from another age to be better regulated and then eliminated, we would hope that, in response to the urgent call made by the rest of the world, those who have the right of the veto would of their own volition demonstrate a pragmatic spirit and resort to, or threaten to resort to, the veto only in exceptional situations.

With regard to the matter of expanding the Council, my delegation believes that it is urgently necessary to correct the current imbalance by ensuring more balanced and equitable geopolitical representation and by increasing the participation of developing countries. In this connection, my delegation would like to reiterate its support for the specific proposals made by the members of the Non-Aligned Movement, in particular those proposals that have to do with increasing the number of Council members and that reflect the will to strengthen the effectiveness and representative character of that important organ.

Likewise, my delegation would like to underline that any increase in the membership of the Council should take into account the African position, formulated by the Organization of African Unity (OAU) summit in Harare in 1999, that the Council should be expanded by 11 seats, and that it would only

be fair — since the African continent is home to the largest number of Member States of the Organization and is the first priority of the Council — for Africa to have, out of those 11 seats, 2 permanent, rotating seats with the same prerogatives as other permanent members, and two non-permanent seats to be distributed among African States in accordance with current OAU criteria and elements that subsequently enhance those criteria. We believe that an enlargement of the Council to at least 26 members would give it more legitimacy, a more representative character and heightened credibility, without diminishing its effectiveness in any way.

The frustration we feel at the slow pace of the reform should not deter us from preserving with determination to find the way to a solution acceptable to everyone; nor should it lead us to take a partial and hasty decision that serves to compromise the chances for true Council reform.

However, this kind of exercise should not go on indefinitely, because the status quo in the Council is, in the final analysis, harmful to the Council's action and credibility, which it is in our fundamental interest to preserve, because the Council is for us all, large and small, the central pillar of our collective defence system. It is therefore the natural, sole recourse and framework for all action aimed at the maintenance of international peace and security.

I could not conclude without assuring you, Mr. President, of my delegation's full willingness to contribute positively and constructively to the debates on this important issue, which we hope will be pursued in a transparent calm atmosphere. For that, my delegation believes that the Working Group is the appropriate framework in which questions of Security Council reform should be raised and addressed, questions which remain the sole prerogative of Member States.

Mr. De Ruyt (Belgium): The events of 11 September and developments since then have squarely placed the United Nations at the centre of world attention. In order to face these new challenges and address the new demands of the international community, it looks more and more obvious that our Organization has to be adapted to the realities of today's world.

As the body with primary responsibility for peace and security, the Security Council stands to profit from a substantive enhancement of its representativity, transparency and efficiency. It is our firm belief that the events I have just referred to make our work on the reform of the Security Council all the more urgent.

Belgium coordinates the activities of the so-called G10, a group of 10 countries that is also composed of Australia, Austria, Bulgaria, the Czech Republic, Estonia, Hungary, Ireland, Portugal and Slovenia. Over the years we have put forward realistic and operational proposals to reform the Security Council. Those well-known proposals make it possible, in our view, to achieve a comprehensive reform package that is both reasonable and balanced.

However, the discussions at the previous session of the General Assembly again demonstrated how difficult it is to reach agreement on the delicate issue of Security Council reform. Progress on cluster I again proved elusive, in spite of some useful debates. Work on the working methods was more productive. We welcomed in particular the well attended discussions between the Open-ended Working Group and members of the Security Council. We look forward to similar meetings at the next session of the Open-ended Working Group. I would also like to take this opportunity to congratulate the Security Council on its new openness towards troop-contributing countries.

Your predecessor, Mr. President, indicated from the start of his mandate that he wanted to be actively involved in the work of Security Council reform. Together with the members of the Bureau, he steadfastly tried to make the work of the Open-ended Working Group more focused and productive. However, he could not but conclude that after eight years of work the main issues still remained open.

As Mr. Holkeri correctly stated in his closing address to the Assembly on 10 September, the main need now is to move forward from discussion to negotiation. This will necessarily entail showing flexibility and making compromises.

As the G10, we believe that further work can and should be done in the Open-ended Working Group. However, a breakthrough will not be possible without the clear political will of the members. This is why we should not exclude, as Mr. Holkeri himself suggested, moving to a political level at the appropriate time. We remain open as to the precise form this should take.

First, however, we should redouble our efforts to focus the work of the Open-ended Working Group, moving forward where progress is possible. At the same time, we should be careful not to lose sight of the final aim, which is a comprehensive agreement.

In the work on Security Council reform, Mr. President, we seek your active involvement. In this way, you can help us intensify our effort in order to achieve a comprehensive reform of the Security Council in all its aspects. My delegation and the other members of the G10 stand ready to assist you in your efforts.

Mr. De Rivero (Peru) (*spoke in Spanish*): A year ago more than 140 heads of State unanimously endorsed at the Millennium Summit the need to extensively reform the Security Council in all its aspects, an objective that has not been an isolated aspiration in our Organization's history.

The Security Council acts by delegation and on behalf of all Members. This presumes the exercise of shared responsibility and reflects the permanent interest of all States to transform the Council into a legitimate and transparent forum that responds effectively to the collective interest of the international community.

The first precedent for Council reform dates back to 1963, when, faced with a significant increase in the number of Members of the Organization, the General Assembly, by resolution 1991 (XVII) increased the number of members by five.

More than 30 years since that decision, and 8 years since the creation of the Working Group for the specific purpose of re-evaluating the situation and proposing concrete action to improve the Council's operation and membership, we see a discouraging picture: first, under-representation of the developing countries in its membership; secondly, an unclear decision-making process; thirdly, the exclusive configuration of a system of collective international security that excludes the majority of members of the Organization's democratic organ — the General Assembly — from the decision-making process; and, finally, the persistence of the anachronistic exercise of the right of veto.

In this regard, the quagmire of the discussions of the Open-ended Working Group continues to be the common denominator, and the need for a re-evaluation of the Organization's structure and functioning becomes more obvious than ever.

Peru does not wish to repeat once again its well-known position on the characteristics that this Security Council reform should have. However, we do wish to reiterate our view on the issue of the veto — and only the veto — precisely because we regard this element to be the cornerstone of the reform process at the present time.

At the 1945 San Francisco Conference, my country firmly upheld the inadmissibility of applying this privilege to determining the existence of a threat to or a breach of the peace, to fact-finding investigations in cases of conflict and to amendments to the Charter. The outcome is well known: the countries that opposed the veto had to choose between a Charter that contained this exception to the principle of sovereign equality of States as enshrined in Article 2 (1), or the failure of the San Francisco Conference. I believe the time has come to begin to correct this decision, one that reflected a specific time in history but one which is now in the past, because of the new shape of international relations today. We must, at least, limit the exercise of the veto. The limitation of the use of the veto to decisions under Chapter VII of the Charter, with a view to its total elimination, seems to be the consensus of all States except for the Permanent Members, and is in and of itself an important concession by the large majority of member countries, which seek to take the first step in this process and go beyond a mere unilateral commitment to self-restraint. And we have done this. If there is no agreement on limiting the veto, we should, for the time being, promote the expansion in the number of non-permanent members and the enhancement of the role of the General Assembly with an expanded Security Council, on the basis of clear and transparent criteria for action and linkage between these two bodies.

As regards transparency, Peru encourages and welcomes the efforts at openness made in recent years, which have led to a larger number of open Security Council meetings, and the effort made by some presidencies to ensure that the opinions of non-member States — in particular, of those States that are directly involved — be considered in the final result of Council meetings. This is fine. We are convinced that this type of measure represents a direct contribution to the work and the efficiency of the Security Council. Nonetheless, initiatives of this type remain to be

implemented, as do others aimed at greater discussion and dissemination of the concepts of collective security, as well as information on peace processes, in a secure and invariable regulatory framework.

In this connection, we wish to emphasize in particular the open debate on the strengthening of cooperation with troop-contributing countries, which led to the adoption of resolution 1353 (2001), which is already being implemented. This resolution recognized the importance of the participation of troop contributors for the success of peacekeeping operations. This is a coherent, practical measure, as well as a just recognition of those States that do participate in the riskiest stages of peacekeeping operations.

In this same context of transparency, we also welcomed the presence of Security Council ambassadors in the Working Group on the reform of the Council. This gave the Group the benefit of their experience and, mainly, it made it possible to gather together and convey to the entire Council the comments and suggestions that were made at that session. We, therefore, encourage the continuation of this exercise in the future.

Lastly, Peru reaffirms its firm will to continue to contribute actively and constructively to this important subject with the ultimate objective of shaping a United Nations which is more equitable, fairer and more transparent, for the benefit of all States.

Mr. Mahbubani (Singapore): Please allow me to begin by both thanking and congratulating former General Assembly President Harri Holkeri of Finland and Ambassadors John de Saram of Sri Lanka and Thorsteinn Ingólfsson of Iceland for the good work they have done. Under difficult circumstances, they have done a sterling job. In particular, their initiative to compile relevant excerpts from the work of the Security Council and of the General Assembly on cluster II issues helped to generate a more informed discussion. This is the good news.

Now comes the bad news. Most diplomats obey their leaders' instructions immediately. Collectively, however, we, the United Nations diplomats, have decided to ignore our leaders' instructions. Last year, at the Millennium Summit, our leaders instructed us "to intensify our efforts to achieve a comprehensive reform of the Security Council in all its aspects". This instruction is simple and clear. We should reform all aspects of the Security Council. However, the report submitted by the Open-ended Working Group suggests that we remain on autopilot, obeying United Nations General Assembly resolutions rather than the Millennium Summit declaration. Hence, the first point we wish to make in this debate is a simple one: let us aim for comprehensive, not selective, reform of the Council.

To reform an institution, or indeed an individual, we first have to understand the nature of the beast that we are reforming. Probably very few of us understand the real nature of the Security Council. Certainly, in the case of Singapore, after serving 10 months on the Council, we are not sure that we understand its core essence well. Indeed, it is hard to find the right metaphor for the Council. Perhaps it can be compared to a medieval castle with five traditional lords. Its job is to take care of peace and security in the global village. The villagers are allowed to elect 10 representatives to serve for two years on the castle's high council. Hence, it is a partially democratic council, but only the lords have decisive veto powers. All this is well known. We are revealing nothing new.

What is less well known is how the castle's high council arrives at key decisions. In recent years, the number of Council meetings has exploded. There are public meetings; closed meetings; private meetings, which are sometimes open and sometimes closed to media and non-members; informal consultations, which take up most of the time; Arria formula meetings; sanctions committee meetings, now coupled with the counter-terrorism Committee meetings. Then, of course, there are the private meetings among the lords that are not documented and the meetings of the groups of friends, which are equally opaque, with no trace of accountability attached to them.

Despite the enormous importance of these meetings, the Council has no agreed glossary of terms to describe the meetings. The Singapore mission has attempted to produce a glossary, which can be found on our Web site, but even our list is inadequate. Indeed we have steadfastly advocated that the informal working group on procedures and documentation of the Security Council should meet more often. Here, I am glad that the Permanent Representative of Colombia, Ambassador Alfonso Valdivieso, speaking earlier today, also reiterated the importance of that working group.

The rules of procedure, which remain provisional after 56 years, should be formalized. Speakers' lists — which are prepared in ways that most of us do not understand — should be prepared in an open, transparent and equitable fashion. Despite all our pleas, the informal working group has met only twice in 10 months. The unavoidable conclusion is that the Council prefers arbitrary behaviour to rule-based regimes.

How have the global villagers reacted to all this? They have called for more transparency. Indeed, that has been the buzzword for much of the discussion here and in the Open-ended Working Group on Security Council reform. We support the call for transparency. For Singapore, we are not sure that we fully understand how all the decisions are made, even though we attend all the meetings without fail. This castle, we have discovered, has, like most medieval castles, a secret labyrinth that we have not penetrated. Perhaps we never will. Hence we doubt that calls for more transparency will help very much. It would be like trying to add windows to a castle. Such windows will never shine light on the labyrinth.

The processes of decision-making within the Council are therefore likely to remain opaque, not transparent. However, there is some balancing good news. The output of these decision-making processes is public and clearly visible. In recent years, the public output of the Council has seen a phenomenal increase. In a recent article, former United States Ambassador Nancy Soderberg has documented that, during the cold war, only 18 peacekeeping missions and two sanctions regimes were approved. But since the end of the cold war 12 years ago, the Council has approved almost 40 peacekeeping missions and imposed 13 sanctions regimes. As a consequence, the United Nations budget for peacekeeping operations has exploded from $600 million in 1989 to $3 billion in 2001. So, if we want to truly reform the Council comprehensively, a more productive approach would be to focus our attention on this massive increase in output, which is clearly visible.

We can devise many ingenious ways of assessing this output. For example, the Council's key responsibility, assigned by the United Nations Charter, is to deal with threats to international peace and security. Using open sources — say from the International Institute of Strategic Studies of London or Jane's Defence Weekly — we can draw a map of all the trouble spots in the world. Over this map, we can superimpose another, drawn on a clear plastic sheet, of the areas that the United Nations is intervening in. The discrepancy between the two should indicate areas of divergence. It should be fairly easy then to pose direct, relevant questions to the Council that could then help to reform the Council.

This is why we are disappointed with the work of the Open-ended Working Group. Here, let me stress that we are criticizing the members of the Working Group and not the Vice-Chairmen. The Open-ended Working Group has not taken to heart the instruction of the leaders to reform the Council comprehensively. To avoid any misunderstanding here, let me also stress that Singapore does support a reform of the composition of the Council. We support the clearly articulated position of the Non-Aligned Movement. Certainly, the Council can be effective only if it accurately reflects the current global configuration of power and not that of 1945. The world has changed enormously since then — indeed, it has changed enormously even since 11 September.

The Council cannot remain frozen. But if we want to add new members — permanent, semi-permanent or temporary — do we not first have to understand what it is we want them to do in the castle before we select them? This point is especially important for the small States, of which Singapore is one. Through a statistical analysis of the membership of the Council since 1945, we have discovered that small States have served on the average once, twice and sometimes never on the Security Council since its creation. By contrast, larger States have served five to eight times. For small States, therefore, it should be in our obvious self-interest to link the privileges of permanent or semi-permanent membership to obligation. If there are no reciprocal obligations to small States, how does it serve their interest to support the current or additional vetoes?

Changing the composition of the Council is therefore only one dimension of Council reform. Equally importantly, we have to scrutinize and audit the working methods of the Council. Undoubtedly, some of the discussions on cluster II issues have had a beneficial effect in making the Council slightly more open, but, in order to comprehensively reform the Council, we may have to add a set of cluster III issues to assess the output.

The main difficulty we face here is that the global villagers have not agreed on a simple, clear and coherent conceptual framework to assess the output of the Council. A partial listing would include the peacekeeping operations, which, as we noted in our speech on the report of the Security Council to the General Assembly, in the past two years alone has grown from 9,000 military troops and 2,000 civilian police in 1999 to 35,000 military troops and 8,000 civilian police in 2001. It would also include the sanctions regimes, which have in turn subsidiary monitoring mechanisms and panels of experts. It would include the recently established counter-terrorism Committee, which has enormous and far-reaching powers. It would include the International Criminal Tribunals, which cost a few hundred million dollars a year, and, of course, the special Security Council missions to trouble spots.

The question is this: Whose responsibility is it to assess this massive output to ensure that the Council is doing a good job? A management expert recently told me that the first rule of management is this: if you cannot measure it, you cannot manage it. If it is not the Open-ended Working Group which is going to measure it, do we need to create a separate group to do this? Should the Council do its own review or should the General Assembly assign some other body — perhaps the Open-ended Working Group — to do so?

To be fair to the Council, let me also add that it is absolutely clear that it has done much good work in recent years. Certainly, the Council can proudly claim a share of the Nobel Peace Prize recently awarded to the United Nations. East Timor, for example, has the real potential of becoming a shining success story if the United Nations manages its exit well by agreeing to continued funding through assessed contributions — and incidentally the term assessed contributions is very important — over the next two years. Similarly, the people of Kosovo, where the peacekeeping operation costs $400 million a year, the people of Sierra Leone, where the peacekeeping operation costs $550 million and perhaps the people of the Democratic Republic of the Congo, where the peacekeeping operation costs $273 million, are all better off as a result of the massive United Nations presence in their countries. Like any human institution, the Council has also had its share of failures, as documented in the reports on Rwanda and Srebrenica, which — for reasons that have never been explained to us — have never been examined by the General Assembly.

What this regular mix of success and failure fails to reveal, however, is that there is a deep-seated, structural problem in the Council's responses to threats to international peace and security. As we know, the Council is often called upon to react to emergencies — as it is about to do, incidentally, in a massive way in Afghanistan in the near future. By reacting to emergencies, the work of the Council has often been compared to a fire department. Most fire departments are expected to respond to a fire no matter where it occurs. The deep-seated structural problem of the Council is that it does not react like the New York City Fire Department to emergencies. It is neither a principled nor a altruistic creature. Its decisions on where and how to react are conditioned more by the national interests of the members of the Council than by the needs of the global community that they serve.

Let me cite a simple, current, practical example to make this point. Tomorrow the Security Council will be discussing East Timor in open debate. Quite reasonably, a few of us in the Council, including Singapore, have asked the Council to endorse the recommendations of the Secretary-General in his report on East Timor. This would serve both the East Timorese people and the international community. Unfortunately — and this is a live example — some members of the Council prefer to put their national interests ahead of those of the international community. This raises an obvious question: should the Security Council serve the national interests of some of its members or those of the international community that the Council is dedicated to serve? Clearly any comprehensive reform of the Council will have to address such fundamental questions if we want to solve the deep-seated structural problem of the Council.

It is difficult in a brief speech like this to suggest how the Security Council could be comprehensively reformed. The Council is an enormously complex institution. It is becoming even more complex day by day, and we have seen — indeed in the first ten months of serving on the Council — the Council becoming more and more complex. Unfortunately, it is also an institution that has not been appropriately or comprehensively analyzed or understood by either academia or the media. Indeed, we have yet to find a good book or even a good series of articles that draw

out the real complexities of the Council. Frankly, neither has the General Assembly done so.

This is why we have compared the Security Council to a medieval castle. Its secret labyrinth has not been mapped or discovered. If we want to seriously implement our leaders' instructions to comprehensively reform the Council, we have to begin by developing a common understanding of how the Council really works. This will not be easy. We may have to keep the Open-ended Working Group going to understand the institution that we are trying to reform. And if we do not develop a good understanding of it, we will never be able to implement our leaders' instructions to comprehensively reform the Council. But in order to achieve such an understanding, we may have to change the language of our discourse in these annual debates. We should first develop a common agreed framework for understanding the essential nature of the Council that we are trying to reform. Without such an analytical framework, we will be peeling off the external layers without getting to the core of the Council.

In conclusion, it may be useful for us to reiterate some of the key points we wish to make here. Firstly — and I hope next year we will do so — we should abide by our leaders' instructions to comprehensively reform the Council. Secondly, in order to reform the Council we have to have an agreed understanding of what the Council is doing and what the Council is not doing. Thirdly, we cannot ignore political realities. The composition of the Council has to change with time. Fourthly, the General Assembly members have to decide what is more important for them in the Council: to have a more representative Council or to have a more effective and accountable Council? Without agreed answers to these questions, we may end up having this annual debate for another eight years with no significant progress. If we do not want that to happen, we should start afresh and take a different and more comprehensive approach.

Mr. Aboul Gheit (Egypt) (*spoke in Arabic*): For the ninth consecutive year, the General Assembly convenes to consider the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Council. As usual, the delegation of Egypt is keenly interested in participating in the general discussion on this topic, because we believe that this matter is of great importance, given that it relates to one of the most important organs of the United Nations.

Although eight years have elapsed since the beginning of the intensive work of the Open-ended Working Group of the General Assembly on the matter, for many obvious reasons, the Group was not able to achieve much progress. We note the different ideas and initiatives concerning the future work of the Group and how to achieve some progress.

I would like here to make reference to the statement made by the delegation of Egypt during the last meeting of the Working Group, where we stressed the position of the non-aligned movement regarding comprehensive reforms and obstacles to them.

I would like to reaffirm Egypt's full commitment to the African position stated in the Harare Declaration of 1997, which emphasizes that Africa — which represents one third of the general membership — should be allotted seven seats in the expanded Council, two permanent seats, in accordance with system of rotation, and five non-permanent seats.

I would like to refer to some positive developments in the Council's working methods. Although limited, these developments deserve some encouragement and support. We call for more openness and more transparency in the working methods of the Council.

I lay particular stress on the following points. First, we are concerned at the fact that informal meetings and consultations among Council members are increasingly, and unfortunately, becoming the rule rather than the exception. I believe that the concept of informal consultations was introduced to provide the Council with some flexibility in its preliminary consultations; it was not intended to be — and should not be — a common practice and should not provide a forum for decision-making, with official meetings reserved simply for announcing those decisions. Formal meetings should not be limited to that function because the majority of Member States no longer understand the facts behind the Council's decision-making.

Secondly, the question of whether the veto power is a prerogative or a responsibility continues to block Council reform. There are still no checks on the exercise of that power, which continues to reflect narrow national positions. This runs counter to the intentions of the founders of the Organization.

Thirdly, we must continue a comprehensive approach to reform and must avoid taking small steps in various directions. We should aim for consensus on a package of reforms that will take account of the interests of the entire international community, as stated by the General Assembly on many occasions, notably in November 1998 with the adoption of resolution 53/30 on the required majority for the adoption of any resolution or decision on Security Council reform.

Fourthly, the Assembly's Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council must continue its work under its existing mandate and working methods, irrespective of the topic under discussion, and particularly with respect to its internal decision-making mechanism. Much could be said about the Group's working methods, but it remains the only transparent open-ended forum for discussion of these important issues. Last June, we were glad to see the Security Council respond to the Assembly's invitation to send a delegation of permanent and non-permanent members to hold a dialogue with the Working Group on increasing the transparency of the Council's working methods. That was a good initiative, and we hope it will continue in future meetings.

In that connection, I want to make special reference to the work of the Council's Working Group on Documentation and Procedures. While we hail the establishment of the Group as the institutional memory of the Council, and while we praise its work, we want to make a number of comments. First, the activities of the Working Group continue to be restricted to the Council's official meetings and do not deal with informal consultations. As I said, informal consultations have become the rule in the work of the Council. Secondly, it remains unclear how the general membership will benefit from the Group's activities in terms of access to relevant documentation.

Let me make reference to another matter closely related to the Council's working methods: the growing trend to dispatch ever more Council fact-finding missions to certain regions. We agree that such missions are important and that they give the Council a clearer basis on which to make its decisions. But we think their mandates should be explicit and should be made public in advance, following due consultations with the country or countries concerned. We must respect State sovereignty, as enshrined in and guaranteed by the Charter.

Speaking of consultations with Member States, I must refer to the question of consultations between the Council and troop-contributing countries. These are now somewhat better than they were, but they are still not good enough. It is difficult to imagine that the Council can extend the mandate of peacekeeping operation without adequate prior consultation with all troop-contributing countries to determine their willingness to extend the service of their troops — not to mention consultation with the country directly concerned.

Nor can I fail to mention the annual reports of the Security Council to the General Assembly. A short while ago, the Assembly discussed the current report of the Council (A/56/2). Many delegations, including ours, thought we should be given a less narrative and more analytical report that explains background and context and that provides adequate information on the items on the Council's agenda. We would like to see such reports in future years.

My statement was intended to reaffirm a number of principles that guide Egypt's position on comprehensive and integrated reform of the Security Council. As the Assembly's Working Group enters its ninth year, we shall continue our active participation in its work. We are confident that, under your able leadership, Mr. President, the Group will achieve tangible results: equitable and comprehensive reform.

Mr. van den Berg (Netherlands): The central issue that needs to be addressed is the connection between the Security Council and the general membership of the United Nations. Improvement of the interaction between United Nations Members and the Security Council can be made now if the political will is there. We had better not wait for the outcome of the numbers game that we have been playing unsuccessfully for years. Security Council reform in the traditional sense — size, the veto and the position of the permanent members — is important but has proven to be a long-term exercise. In this statement, the focus will be on feasible results in the foreseeable future: my statement is on reform of working practices rather on reform of the Council itself. To achieve results now, solutions should be pragmatic and within existing Charter provisions. The objective should be to render the work of the Security Council more

transparent, accountable, inclusive and collaborative, and, as such, more effective.

Let us seize on the present momentum in the aftermath of the tragic events of 11 September to look into the possibility of forging better interaction between the Council and the general membership. Whether we talk about coalitions of the willing or regular United Nations peacekeeping operations, including post-conflict peace-building, we are dealing with Member States able and ready to make their financial, personnel and other resources available. In doing so, they assume at least as much responsibility as those Member States that through their privileged position in the Council are supposed to carry the biggest burden. Actually, in terms of committing troops, the major contributors are to be found outside the Council. This is also true of financial support for peace-building operations. This shows the imbalance that has come to exist between those that have responsibility and those that are more involved in implementation.

It is only fair to say that over time the Security Council has introduced important changes — very notably so in terms of transparency and the participation of non-members of the Council in its work. This progress we owe to a large extent to the Open-ended Working Group, which, while failing to reach agreement on the composition and size of the Council, has, over the years, been able to achieve considerable procedural improvements. We should not, therefore, underestimate the willingness for change of the Council itself. The Working Group and the Council have, in a sense, interacted effectively in this regard. The relationship between troop-contributing countries and the Council, for example, has been an obvious beneficiary of this development.

However, the question is: are we indeed satisfied with the present state of affairs? Is the Council up to responding effectively to complex, multifaceted security issues that require a multi-component response? The Netherlands is of the view that there is still scope to improve the effectiveness of the Security Council. Interestingly, the Charter gives us sufficient options to do this. The founding fathers of the United Nations laid down a structure that is still solid enough to serve the cause of peace effectively today and in the future, if only we are prepared to use its potential to the full.

At this point, we have to make a clear distinction between the interaction of the Security Council and the Member States, on the one hand, and the cooperation and coordination of the main intergovernmental bodies in the United Nations, on the other.

What can be done to support a meaningful interaction between the Security Council and the membership of the Organization? Over the past few years a number of suggestions have been made to this end. Some of these practical proposals have already been implemented, and others have met with a sympathetic ear and are still being studied. It would appear that the interaction between the Council and the membership could be further strengthened by combining an analysis of the decision-making process in the Council with suggestions and proposals, in order to find which ones, when implemented, would make a practical contribution to the interaction between the Council and Member States. Such an analysis would also show whether there are, on the map of interaction, blank spots providing scope for improved interaction.

The credibility of the Security Council and, for that matter, its effectiveness, are best served if its decisions are perceived as legitimate and representative. For that reason, the issue of representativeness has been at the heart of the debate on the composition and size of the Council. So far, representativeness has implied the need for regions to be better represented in the Council through membership of the Council by individual States of those regions. However, in this context, the discussion on the expansion of the Council seems deadlocked. Maybe we should develop a more pragmatic view of regional representation and, instead of looking at it in terms of membership of the Council only, should also focus on an issue-based approach. This would imply creating innovative mechanisms to ensure that regional players and all others contributing to a particular United Nations activity are involved in the processes leading up to decisions on peace operations in the region concerned.

A case in point is the issue of troop-contributing countries, which is at a critical juncture right now. Security Council resolution 1353 (2001) was certainly a step forward in keeping open the option for a more far-reaching mechanism for the involvement of troop-contributing countries in the work of the Council. I have already touched upon a possible role for non-members of the Security Council in the preparation of a

decision and its implementation. We expect that the present deliberations of the Security Council Working Group will lead to specific proposals to this end.

Effective involvement of non-members of the Security Council requires the membership to organize itself to facilitate the interaction with the Security Council. We have to make things manageable for the Security Council. Let us take up the example of the troop-contributing countries again. For a mission-specific mechanism to be effective in an operational sense, membership could in principle be limited to members of the Security Council and those whose contributions have a strong operational impact. However, considerations of representativeness could also be the basis for the composition of such a group. These mechanisms could provide a connection with so-called groups of friends, consisting of interested Council members, all troop-contributing countries and other interested States.

I would like to conclude by making a few remarks on the cooperation and coordination between the principal intergovernmental bodies of the United Nations — an issue which has to be clearly separated from the issue of interaction which I have just discussed. In the area of peace-building, the dividing line between peacekeeping and peace-building has been increasingly blurred so as to create one conceptually seamless operation. This fact, however, is not reflected in the way in which the principal intergovernmental bodies — the General Assembly, the Economic and Social Council and the Security Council — cooperate. Let us face it: the Security Council is venturing into the area of peace-building simply by default. There is no adequate intergovernmental structure to take over the baton to follow up on the peacekeeping activities of the Council.

In this context, one can hear critical remarks accusing the Security Council of encroaching upon the competence of the General Assembly and the Economic and Social Council. This, of course, creates an additional source of discontent in interaction with the Security Council. This is hardly fair, however, because it is up to us — the general membership — to improve and amend the present intergovernmental structure with a view to establishing a clear division of labour between the Security Council and the other intergovernmental bodies. Here again, it is, in fact, amazing how much room the Charter gives us in this respect.

The Netherlands recently organized a seminar, in cooperation with the International Peace Academy, on the issue of cooperation and coordination between the principal United Nations bodies. The seminar took place on 19 and 20 of this month in Tarrytown, and brought together permanent representatives on the Security Council and the Economic and Social Council and of countries not members of any of these organs. The conclusions reached at that seminar on the present state of intergovernmental coordination in the area of peace-building were candid, and the proposed solutions were practical and realistic.

My delegation will shortly present the summary and conclusions of this seminar to Member States through letters to you, Mr. President, and to the President of the Security Council and the President of the Economic and Social Council. It appears to me that the outcome of the seminar could serve as a thought-provoking contribution to the debate on the report of the Economic and Social Council, which we will have in this Assembly later this year.

Mr. Cunningham (United States of America): The United States is committed to the effort to strengthen the Security Council. Enlarging the Council is a means to that end, not the end in itself. A reformed Council, with Japan and Germany assuming permanent seats, and with an expanded number of rotating seats, would better enable the Council to exercise its primary responsibility for the maintenance of international peace and security under the Charter.

As we are all aware, the Open-ended Working Group is going into its eighth year of deliberations. This is indicative of the complexity of the issues that remain to be resolved: balancing representation between the developed and developing countries, achieving appropriate and equitable representation among regions and ensuring that Council enlargement is not purchased at the cost of lost effectiveness — by which we mean the ability to act promptly and decisively. The Open-ended Working Group, however, is the only venue in which the difficult issues outstanding can be resolved successfully. We want it to succeed in building as broad a consensus as possible. The time has come to move beyond the annual speech-making and debating of language nuance and instead to analyse seriously the various models for an expanded

Council, to find the one that will give us an enhanced, stronger, more effective Security Council.

Such a Security Council must have genuine and broad support. To get there, we cannot and should not attempt to divorce the issues of the expanded Council's ultimate size and its composition. Doing so will merely ensure more delay. And it will come as no surprise that we will continue to oppose efforts to limit or eliminate the veto, initiatives that serve only to stifle progress on the important task ahead of us. The veto remains an essential element of the Council's ability to maintain international peace and security.

As we discuss a future Council structure, we note that the current Council structure is certainly up to the challenge of advancing international peace and security. It is capable of prompt and effective action, and there is no better example of this than the Council's swift passage of Security Council resolution 1368 (2001), which articulated the United Nations unequivocal condemnation of terrorism within 26 hours of the 11 September attacks, and resolution 1373 (2001), a landmark decision that has forever changed the battle against terrorism.

The United States will work through the Open-ended Working Group, and in any discussions, to ensure that the Security Council continues to be the linchpin of international peace and security. We will also join others in making the Council more transparent and more representative of the entire membership. That is important work as well, and we are fully engaged. We hope that we can make real progress on all these issues in the coming session.

Mr. Sharma (India): We are once again gathered to debate the obvious. There is general agreement that the Security Council needs to be reformed and enlarged in order to make it more representative of the general membership, and to enable it to discharge its responsibilities under the Charter of the United Nations more effectively and with greater credibility and legitimacy. However, the devil lies in the detail. Deliberations over the last eight years in the General Assembly and in its Open-ended Working Group to consider all aspects of the question of an increase in the membership of the Council and to effectively address other matters related to the reform of the Council have failed to arrive at a comprehensive package acceptable to everyone.

We were encouraged by the broad support that this subject generated during the Millennium Summit, the general debate and subsequent consideration under the relevant agenda item during the fifty-fifth session of the General Assembly. Our heads of State and Government, in the Millennium Declaration, have directed us to intensify efforts to achieve a comprehensive reform of the Security Council. In the follow-up to the Millennium Summit, we must discharge the enormous responsibility placed upon us in this regard and address this vital issue with all the commitment and seriousness it deserves.

The tragic events of 11 September have dramatically coalesced world opinion in a common resolve to comprehensively combat the evil menace of terrorism in all its manifestations. The Security Council has, through resolution 1373 (2001), undertaken the ambitious and laudable task of rooting out this pernicious scourge root and branch. Its Committee on Counter-Terrorism has begun to address this issue in a serious and meaningful manner. We commend the Council for acting with alacrity. As a country that has been the victim for many years of this grave assault on the cherished ideals of freedom, democracy and pluralism, we wish the Council all success in this crucial responsibility towards the global community. We cannot afford to fail in this critical endeavour.

In countering threats to international peace and security, the importance of the role of the Security Council cannot be overemphasized. An unrepresentative and anachronistic Council that does not reflect current global realities would find it extremely difficult, notwithstanding its worthy intentions, to effectively and credibly tackle this momentous challenge to international peace and security. Moreover, it is clear that the focus of the Council's actions, as in the past, would be overwhelmingly developing countries, and the impact of the Council's actions would be almost entirely felt in the developing world. This only reinforces the imperative of enlarging the membership of the Council in both categories to make it more representative of the general membership and, in particular, the vast majority of developing countries. We would like to reiterate that a comprehensive package which includes expansion of the Council's membership, improvements in its working methods and reform of its decision-making process is the only way to proceed. This would

equip the Security Council to confront the grave challenges that confront the international community in the twenty-first century.

We have had the opportunity to outline India's position on Security Council restructuring on several occasions in the past. However, we would like to caution against the temptation to resort to piecemeal and partial solutions. After striving for over eight years, if we were to agree to an expansion of the Security Council in the non-permanent category alone, or if we were to make cosmetic changes in its working methods, we would be doing a disservice not only to ourselves but to the Organization as a whole. Instead of addressing the main issues, we would be shying away from them and thereby perpetuating an international system characterized by inequity.

We should avoid the seemingly simpler option of promoting agreement only on those issues on which a broad meeting of minds may emerge. Cluster I and cluster II issues are equally important and need to be considered together. The Non-Aligned Movement (NAM) has consistently held the view that expansion and reform of the Security Council should be integral parts of a common package. Any attempts to promote one at the expense of the other not only would contravene the NAM position but would also go against the mandate of the General Assembly to consider all aspects of this issue. A large number of delegations, including ours, have made suggestions pertaining to the working methods of the Council during the debate on the report of the Council held earlier this month. We would not like to repeat them here. It is our expectation that these suggestions will be considered and the required improvements effected.

While debating the issue of Security Council reform, one cannot but comment on the manner in which the Council mandates peacekeeping operations, a highly visible manifestation of the Organization's attempts to maintain international peace and security. It is most regrettable that one of the basic flaws in United Nations peacekeeping is the absence of a genuine partnership between the Security Council and the troop- contributing countries. This is further accentuated by the fact that very few Council members are major troop contributors. Complex and dangerous operations like those in the Democratic Republic of the Congo and Sierra Leone and the one being envisaged for Burundi cannot succeed in the absence of cooperation with the troop-contributing countries. The unfortunate incidents in Sierra Leone last year should have galvanized the Council to take appropriate measures.

While recognizing that Security Council resolutions 1327 (2000) and 1353 (2001) seek to address this problem, we believe that this is simply not enough. The Brahimi Panel made a specific recommendation in this regard in paragraph 61 of its report. A number of troop-contributing countries have amplified on this particular recommendation and submitted proposals to the Council. We are grateful to Singapore for having resurrected the need for strengthening cooperation with troop-contributing countries and brought it to the forefront of the Council's agenda.

We would like also to commend Ambassador Curtis Ward of Jamaica for his untiring efforts as Chairman of the Council's Working Group on Peacekeeping Operations in trying to get the Working Group to focus on the proposals made by troop-contributing countries. There should be no attempt to preserve the status quo on the specious plea that existing mechanisms suffice. Those charged with the responsibility for peace and security would hopefully both contribute troops for peacekeeping and ensure a culture of consultations with troop contributors that is just and which contributes meaningfully to the decision-making process, which has a direct impact on the lives of their troops serving the United Nations. This is an anomaly that must be seriously and meaningfully addressed lest the disenchantment of troop contributors leave the Council with little else but the holding of mostly pointless thematic debates.

We would like to reiterate our conviction that any increase in permanent membership should be guided by objective and not subjective, selective or arbitrary criteria, and that all new permanent members should be designated together by the General Assembly, which is the only forum which can elect them. In this regard, there should be no restrictions imposed on the role or authority of the General Assembly.

We would like to commend Mr. Harri Holkeri, the former President of the General Assembly, for his personal contribution in trying to focus discussions on Security Council reform in the Open-ended Working Group. His very pertinent remarks at the concluding session of the fifty-fifth session of the General Assembly on this issue could guide us in our

subsequent deliberations. His initiative in writing to Foreign Ministers of Member States on this important subject is particularly praiseworthy. It would be very useful if the replies received from Member States were brought out in a compendium before the Open-ended Working Group commences its work next year.

Prime Minister Atal Behari Vajpayee said at the Millennium Summit that:

> "As the world's largest democracy, with enormous potential and rapidly growing economic power, and being a major contributor to peacekeeping operations, India has a natural claim to a permanent seat in the United Nations Security Council".

India has consistently contributed to all aspects of the Organization's work. We believe that on any objective grounds India would be considered as qualified for permanent membership of an expanded Security Council, whenever the membership finds this decision before it.

It is imperative that discussions on Security Council reform continue in a sustained and meaningful manner. There is no reason for pessimism, even though agreement in vital areas continues to elude us, even after eight years of protracted negotiations. We look forward to continuing our discussions in the Open-ended Working Group next year.

Mr. Petrič (Slovenia): I would like to begin, Sir, by expressing Slovenia's appreciation for the work done by your predecessor, Mr. Harri Holkeri, and by Ambassadors Ingólfsson of Iceland and De Saram of Sri Lanka, the two Vice-Chairmen of the Open-ended Working Group on Security Council reform. The progress achieved in the Working Group, though modest, is to a large extent the result of their tireless efforts to advance the reform process. I would also like to thank Mr. Holkeri for having provided us with the comprehensive and detailed report of the Working Group. We are, of course, confident, Mr. President, that this work will continue in the same manner during the fifty-sixth session of the General Assembly under your thoughtful and energetic guidance. Let me also state that Slovenia fully aligns itself with the statement made by the Permanent Representative of Belgium on behalf of the G-10 Group.

Since the creation of our Organization and the establishment of the Security Council as one of its main bodies, the world has radically changed. Its political, economic and social structures are very different from the ones that existed when the United Nations was born. We are all aware of these changes, and I daresay that we all agree that there is an urgent need to adapt our Organization — and the Security Council in particular — to the realities of a globalized international community.

It is my Government's firm belief that the composition of the Security Council must reflect the new realities of international community. The new distribution of political and economic power and the simple but glorious fact that more than 100 new nations — Slovenia, my country, among them — have come into being in the last 50 years should also be reflected in the composition of the Security Council. The current composition of the Security Council simply does not correspond to the realities of the international community. It is no wonder, then, that problems related to the authority, legitimacy and effectiveness of the Council are constantly being raised.

Many specific proposals on the enlargement of the Security Council, in terms of both its permanent and non-permanent membership, have been submitted since 1993, when — with great expectations — we started the debate on Security Council reform. Past debates, including the general debate at the fifty-fifth session of the Assembly, have indicated that a large number of States — including Slovenia — support an enlargement in both categories of Security Council membership. This, in Slovenia's view, is the only possible way to achieve what we need most: a fully representative Security Council. Of course, we do not support "quick fix" solutions, and we believe that, before any enlargement takes place, a careful calculation must be made in order to ensure the adequate and equitable geographic representation of all regional groups, including the Eastern European Group, whose membership in the United Nations has more than doubled in recent years.

Nevertheless, after eight years of extensive, but also repetitive, deliberations, we should try to come to some conclusions. With respect to Security Council reform, we should, during the fifty-sixth session of the General Assembly, endeavour to see where we already agree, where we are close to a general consensus, and where any consensus is out of reach for the time being.

The reform of the Security Council is not an event, but a process. We understand that it will take time and that the problems involved are complex and sensitive and go back to the roots of our Organization.

Nevertheless, we believe that the time has come for us to focus on the positive achievements of our past debate. We should try to focus especially on those aspects of reform which are within reach of a general consensus. Progress has been made in the debate in the Working Group, and I believe that the progress achieved is a solid basis for moving forward. My delegation believes that we have reached a point where we should also seriously reconsider the methods of our future work, since to continue to repeat our views again and again will not bring us nearer our common objective of making the Security Council truly representative and effective.

Reform of the Security Council is, of course, not only enlargement. For the majority of Member States, the question of working methods, transparency of work and decision-making, including the use of the veto, are of the same importance.

We note with satisfaction several improvements in the working methods of the Council. They have been encouraged to a large extent by the discussions in the Working Group and are also a very positive reaction by the Council itself to the criticism expressed, which again proves the relevance of the continuing discussions in the Working Group and elsewhere.

The Security Council, as a general rule, does not meet mostly behind closed doors any more. The number of open meetings is growing, even though the practice of holding open debates may need more precision, since some of the discussions are starting to resemble the discussions in the General Assembly. Meetings with troop-contributing countries have recently also witnessed some positive changes that enable those that contribute their troops to participate in the work of the Security Council.

We also welcome the greater use of Security Council missions to troubled areas, and believe that such missions should be used especially as a tool of preventive diplomacy. We should like to encourage further innovations in the work of the Security Council which enhance the cooperation between the Council and the rest of the membership of the United Nations.

Transparency in the work of the Security Council and its President has also increased significantly, even though it varies due to differences in the approach of the various presidencies. We would encourage as much as possible a unified policy of transparency to the benefit of the entire membership.

One of the most important, and also most controversial, aspects of the work of the Security Council is, of course, not the right of veto, which we do not oppose as such, but the use of the veto. In past discussions, including the deliberations in the Working Group, various proposals have been made. We feel that as far as the right of veto is concerned, we are still far from any consensus. So the discussion and the genuine dialogue must continue. Slovenia's view is that all permanent Security Council members — the old and the new — should enjoy the same status in the decision-making process in the Council.

Nevertheless, we also believe that ways can be found, based on many existing and converging proposals, to limit the use of the veto so as to satisfy the larger membership of the Organization. My delegation has stated during the deliberations in the Working Group — and I repeat — that the permanent members of the Security Council should be invited to state on a case-by-case basis why the veto was used. This would, in our view, be one useful instrument to make the work of the Council more transparent and thus closer to the general membership.

The veto is a specific right entrusted to some Member States by the Charter to enable them to carry special responsibility for international peace and security. The right of veto is not a privilege, but recognition of their special responsibility. Permanent members of the Security Council bear this special responsibility not only in the interest of each permanent member, but also in the interest of the entire international community. So the decisions of the Security Council are supposed to be made on behalf of the entire membership of the United Nations and indeed the whole world community. It is then not too much to expect the permanent members to use this unique and far-reaching right, the right of veto, in a transparent way.

Mr. Kittikhoun (Lao People's Democratic Republic) (*spoke in French*): We regret that, after eight years of discussion, we have not yet reached consensus on the delicate question of Security Council reform. It

is a difficult and complex issue. Despite all the frustration that is understandably felt, we should continue to do everything possible to find a solution to this crucial issue. The enthusiasm created by last year's Millennium Summit should be sustained, and every step should be taken to make progress on this common undertaking.

Since its creation in 1993, the Open-ended Working Group on Security Council reform has examined a number of aspects of restructuring this central organ of the United Nations system. Many proposals have been made on enlarging the Council, on its working methods and on its decision-making process, with the goal of making the Council a transparent and democratic organ enjoying the confidence of Member States as a whole.

Our position on this question is well known and has often been reiterated here in the General Assembly, as well as in the Open-ended Working Group. Our Deputy Prime Minister and Minister of Foreign Affairs, Mr. Somsavat Lengsavad, reiterated this position in his statement during the Millennium Summit held in September last year. We are in favour of increasing the number of permanent and non-permanent members.

With respect to new permanent members, we believe that, due to today's global realities, two members should come from industrialized countries and three from developing countries. In our opinion, this formula, though it does not yet have universal support, could be the basis for discussion in our work in coming years.

With respect to increasing the number of non-permanent members, we consider reasonable the idea that Asia, Africa, Latin America and the Caribbean, and Eastern Europe should each have a representative on a new, enlarged Security Council. This formula, like many others, merits more careful consideration.

In Council reform, we, like the other members of the Movement of Non-Aligned Countries, are in favour of transparency in the working methods of the Security Council. We believe that transparency — particularly in the Council's decision-making process — would enable all of us to understand the rationale for its decisions, which would help the Council to gain the trust of all Member States.

The veto is one of the major problems that we face. It is at the very heart of the question of Council reform and is clearly one of the more controversial points in our overall efforts to restructure this body. As we all know, the vast majority of Member States believe that the right to the veto is anachronistic, discriminatory and anti-democratic. We believe that it is time to recognize the need to consider progressively restricting the use of this privilege, first limiting it to issues under Chapter VII of the Charter and eventually abolishing it completely. Of course, this will not be easy, given the various positions on this matter, but we should have the courage to continue discussing this fundamental issue in order to find a solution acceptable to all.

Our world has changed. The United Nations, and the Security Council in particular, must adapt to the new situation. That is why, like other delegations, we attach great importance to reforming this major body entrusted with the maintenance of international peace and security. However, given the complexity of this question, we should be patient, continue to debate and try to benefit from the momentum created by the Millennium Summit. We believe that together we should be able to attain our ultimate goal of making the Council a transparent and democratic body with enhanced legitimacy and, especially, credibility.

Sir Jeremy Greenstock (United Kingdom): Let me start by thanking you, Mr President, for calling a debate on this agenda item. Allow me to pay tribute to the contribution to the reform debate made by your predecessor as President of the General Assembly, Mr. Harri Holkeri, and his two Working Group Vice-Chairmen, Ambassadors de Saram and Ingólfsson. We now look forward to working with you and your Vice-Chairmen during the coming year.

The United Kingdom remains committed to implementing the call of world leaders in the Millennium Declaration to achieve a comprehensive reform of the Security Council in all its aspects. As a permanent Council member, we realize that it remains essential that the Security Council be made more representative of the modern world, and thus better equipped to tackle the many familiar and new challenges on its agenda.

The United Kingdom regrets that there has been little progress this year towards Council enlargement, despite the efforts of President Holkeri. Yet we see clear evidence of the emergence of general consensus on certain issues — for example, that expansion must

include developing countries. It has also become clear that a majority wish to see expansion in both permanent and non-permanent categories of membership.

We welcome the efforts made by Mr. Holkeri and his Bureau in the preparation of conference room papers to focus the debate in the Open-ended Working Group. While, of course, the Working Group works on the basis that nothing is agreed until everything is agreed, the United Kingdom's approach during the fifty-fifth session of the General Assembly was to attempt to narrow the areas of disagreement. This continues to be our approach. We hope that this will allow the Working Group to focus on areas where agreement is possible and to move progressively to the more difficult questions, while maintaining the ultimate goal of achieving a comprehensive reform package.

We are pleased that further progress has been made over the last year on improving the Council's working practices. The United Kingdom and other Security Council presidencies have contributed to this process. A number of innovations have been taken forward. The balance between public meetings and informal consultations may still not be quite right, but we have sought to hold as many Council meetings in public as possible. We have also conducted personal briefings by the presidency of non-members after informal consultations. We have invited non-members to speak in the Council in most debates. We have also sought to improve consultations with non-members, particularly through briefings with troop-contributing countries. We attempted to hold a meeting with members of the Economic and Social Council during the presidency in April to discuss areas of work where intergovernmental coordination clearly needs to be enhanced, such as peace-building. As Chairman of the new counter-terrorism Committee, I have already held a number of briefings to inform the wider membership of the work under way in the Committee. In these ways, our strong support for coordination and transparency will continue.

The work of the Council has now become significantly more accessible to non-members, without any diminution in its ability to take effective action. I hope that the Council will continue this welcome trend towards openness, and that it will be prepared to try further innovations when necessary. In response, it would be good to see the wider membership using the greater opportunities to address the Council to debate points more spontaneously and interactively. The United Kingdom will continue to encourage an evolution in that respect.

The United Kingdom is committed to making real progress on Security Council reform during the fifty-sixth session of the General Assembly. We stand ready to assist you, Mr. President, and your Vice-Chairmen, with our full support.

Mr. Andjaba (Namibia): Two weeks ago the General Assembly discussed the report of the Security Council. A significant number of Member States took part in that debate, which, in the view of my delegation, set the stage for the item before us today. I say this because the imperfections and shortcomings in the report of the Security Council, which have been so well articulated, go to the heart of the longstanding item we are now considering. Today I shall not comment in detail on the issues surrounding the item under discussion because we have done so for more than six years in the ad hoc Open-ended Working Group of the General Assembly, as well as in many other forums. Rather, I will make brief remarks on the burning need to garner political courage and will to bring to an early and successful end the work of the Working Group on the reform of the Security Council so as to bring about an increase in both categories of membership of the Security Council, in line with the principle of equitable geographical representation and the sovereign equality of States, in order to enhance its credibility and effectiveness.

We live in a complex world in which the role of the United Nations is evolving and its organs are assuming greater proportions. Cognizant of the fact that it is essential that the United Nations be reformed and modernized, we have embarked on a process to revisit the functioning premises of the organs of the United Nations. We have done so successfully with the Economic and Social Council, and in fact we continue to do so. Likewise, we continue to collectively undertake measures to strengthen the General Assembly. Why then can we not do the same for the Security Council?

The reform of the Security Council constitutes one of the important components of the efforts to strengthen, revitalize and democratize the United Nations. Therefore, the political courage we demonstrated to strengthen the General Assembly and to review and revitalize the work of the Economic and

Social Council and its related fields should open the way to the successful conclusion of the equally important work on the reform of the Security Council.

My delegation has taken note of the recommendation of the report of the Open-ended Working Group, as contained in document A/55/47. Likewise, my delegation expresses its thanks to Mr. Harry Holkeri, President of the fifty-fifth session of the General Assembly and the Vice-Chairmen of the Working Group, the Permanent Representatives of Iceland and Sri Lanka, for having steered the work of the Working Group.

In the Millennium Declaration, the world leaders resolved to intensify efforts to achieve a comprehensive reform and democratization of the Security Council in all its aspects. In this context, the clustering of issues is aimed at facilitating the work of the Working Group. It does not encompass value judgement, as correctly implied in the decision of the Working Group that cluster I and cluster II issues be considered on equal terms. Namibia shares that view.

We must realize that the indefinite postponement of the enlargement and the democratization of the Security Council will amount to the gradual erosion and relegation of the General Assembly and other organs of the United Nations. This will be detrimental to the effective functioning of the United Nations and certainly is not in the interest of the majority of its Members.

During the consideration of the report of the Security Council, I emphasized, among others things, the gap between the adoption of Security Council resolutions and their implementation and enforcement. This is one of the issues that Member States must address.

As an example, most of the questions before the Security Council are on Africa. The majority of resolutions adopted to date by the Security Council are also on Africa. Yet, when totalling the number of resolutions that have been fully implemented and enforced, Africa will be at the bottom of the list. Granted, there could be several reasons for this unwarranted state of affairs. However, Namibia, having had that rare privilege of serving on the Security Council, can safely state that the major reason is the unbalanced, undemocratic and non-representative structural set-up of the Security Council. Therefore, it is crucial for us that the Security Council be reformed and democratized.

Hence we stand by the decision of the Organization of African Unity (OAU) that Africa deserves two permanent and five non-permanent seats on the Security Council. Africa's decision that the two permanent seats for Africa will be on a rotational basis again demonstrates the collective, representative and democratic spirit in which Africa is pursuing this issue.

Our position on the veto is well known. However, let me reiterate that the veto power as a voting instrument has not served us well. Nevertheless, it is Namibia's view that an expanded Security Council should have permanent members with equal privileges and obligations. International peace and security cannot be left to the goodwill of some.

Hence, the Council must be democratized in order to ensure its accountability to the entire membership of the United Nations, on whose behalf it carries out the primary function of maintaining international peace and security.

Mr. Manalo (Philippines): As a founding member of the United Nations, the Philippines has a profound interest in the reform of the Security Council. We are therefore fully committed to finding a mutually acceptable compromise on the outstanding issues before the Open-ended Working Group on the reform of the Security Council, particularly on the expansion of the number of permanent and non-permanent members of the Council. We remain equally committed to advancing the progress already achieved on specific measures to reform the procedures and decision-making process of the Council, with a view to making them more transparent and open to the participation of non-members.

The Philippines also continues to believe that any final decision on the reform of the Security Council should be in the form of a package agreement consisting of an expanded Security Council membership in both categories and a comprehensive and coherent set of recommended measures to be appropriately institutionalized by the Council so as to reform the procedures of the Council in order to provide transparency and greater participation of Member States in its decision-making process. Another possible element in this package would be the limitation of the application of the veto to issues related to the maintenance of international peace and

security. It goes without saying that the general support of the United Nations membership for any final package is necessary.

To help achieve this needed compromise we may also have to examine the Working Group's methods of work and improve upon them where necessary. The Philippines would support efforts in this regard, bearing in mind that the Working Group, aside from the plenary itself, remains the General Assembly's sole deliberative body on the reform of the Security Council. In this regard, under the chairmanship of the former President of the General Assembly, Harry Holkeri, and the two Vice-Chairmen, Ambassadors Ingolfsson and de Saram, innovations such as the interactive debate with members of the Security Council and meetings with the Secretariat officials directly assisting the Council have, in our view, generated fresh perspectives into the Working Group's deliberations, and have created a greater appreciation of the issues being considered by the Working Group. These exchanges should continue at the Working Group's future sessions. The interactive exchange could also be broadened to consider issues aside from the working methods and procedures of the Council.

The establishment of the Working Group eight years ago brought a sense of expectation and hope that the United Nations would be able to provide the global community with a more representative and transparent Security Council. Despite the number of years spent in negotiating the reform, the Philippines remains confident that a package agreement can still be achieved within a reasonable time. But it is necessary to set the stage for serious negotiations involving trade-offs. We therefore believe the Open-ended Working Group should, at the outset of its next session, identify those elements or issues where general agreement already exists or can be achieved in the near term, and then focus its attention on those issues where further work is clearly needed.

In practical terms, this means reaffirming, as appropriate, those issues where general preliminary agreement already exists, subject, of course, to an overall package agreement. In this regard, we have in mind a number of cluster II issues. The Working Group should therefore focus its deliberations at its next session on matters such as the size and composition of an expanded Council, the extension of and the limitation of the use of the veto and certain outstanding cluster II issues, such as measures to ensure greater participation of troop-contributing countries in peacekeeping operation decision-making, measures to create greater transparency of the informal consultations of the whole and improving the annual report of the Security Council to the General Assembly. This approach would, in our view, more precisely highlight those specific issues that need to be resolved in order to complete an acceptable package agreement as well as enable the membership to devote more time to considering them. This approach should also entail agreement to drop from the Working Group's consideration certain proposals that clearly have elicited scant or no support over the years. In our view, the Working Group would only squander its valuable time in revisiting these proposals. In other words, the key issues should still be on the table, but not every single proposal made over the past eight years.

Hopefully, this approach will enable the Working Group to begin serious consideration of negotiating texts or language on the outstanding issues.

Mr. Seixas da Costa (Portugal): The reform of the Security Council is once again on the agenda of the General Assembly, for the twenty-second consecutive year. We have before us, as a framework for the debate, the report of the Open-ended Working Group. This report, with its annexes, reflects almost a decade of intense discussion on the reform of the Security Council. However, the results are meagre.

The reform of the Security Council is surely a complex issue. The objective, nevertheless, remains clear: to review the membership of the Security Council in view of the substantial increase in the membership of the United Nations, as well as the changes in international relations. This is the mandate of the Open-ended Working Group, as set out by the General Assembly in 1993. At that time, we were in the early stages of a new era of international relations, triggered by the end of the cold war. Also, at that time the United Nations membership, since the last reform of the Security Council, had increased by almost 40 per cent. Nevertheless, today, almost a decade later, these significant changes have yet to be reflected in the composition of the Council.

I must recognize, however, that important efforts have been undertaken to move the process forward. The mobilization of this Assembly in 1998 was one such effort, and it resulted in the unanimous adoption of resolution 53/30. That resolution was crucial in

clarifying the two-thirds majority rule necessary for decisions pertaining to the reform.

On the other side, the commitment of your predecessor, Mr. President, President Holkeri, and the other members of the Bureau, were of the utmost importance in helping to distil the main elements under discussion on both clusters. My delegation commends particularly their efforts in preparing the set of useful documents that are now attached to the report. These will enable us to better focus our discussions in the future.

At a higher political level, the process of the reform of the Security Council was given a particular boost during the Millennium Summit. At that time, our Heads of State and Government gathered to adopt the Millennium Declaration and expressed the commitment to intensify their efforts to achieve a comprehensive reform of the Council in all its aspects. The main elements for reform are now on the table. With the political will thus expressed, our delegations should now be able to build an appropriate solution.

The Security Council has been confronted in the last decade with an increasing number of situations and conflicts in different parts of the world. The latest terrorist attacks constitute an unprecedented challenge to the international community, calling for concerted action in which the Security Council plays a central role. To better deal with such complex situations, the Security Council, as the body primarily responsible for the maintenance of peace and security, has to be regarded as a legitimate body, acting on behalf of the whole international community and with full transparency. Enhancing its representative nature and improving its methods of work are therefore the crucial elements for reinforcing Council authority and the effectiveness of its decisions. Today, more than ever, we must conclude the process of the reform of the Security Council, as we need to have a strong body that is really representative of the international community.

In his statement to the fifty-fifth session of the General Assembly, Mr. Holkeri alluded precisely to this. Encouraged by the clear support received from Ministers for Foreign Affairs for the continuation of efforts on Security Council reform, he highlighted the need to consider all the avenues that would advance the process and put forward suggestions to that effect. Portugal supports this thrust and is open to suggestions that may be useful for moving forward the process of the reform of the Security Council.

It could be helpful, for example, to take this subject to a higher political level of debate if we continue to experience serious difficulties in advancing the negotiations in the Working Group. This, in our view, could help to streamline the discussions and to regain the political momentum created by the Millennium Declaration.

For our part, we remain ready to engage actively in the next steps of the negotiations. However, we must bear in mind the need to address the question of reform in all its aspects. We should remind ourselves of the need to tackle this question as a package and to achieve what was asked of us — a comprehensive reform of the Council in all its aspects, not a reform in only certain aspects of its work.

This is a special time at which we all must show flexibility in order to reach a solution that garners the general support of the membership. We must do so in the interest of the international community. This should apply to all issues, from the question of numbers to the question of the veto.

Indeed, to achieve a comprehensive solution, the question of the veto must be addressed in the light of the overwhelming support of the general membership for reform in this regard. The fact is that, while used formally very moderately in recent times, the veto, or the threat of its use, continues to be present in every aspect of the Council's decision-making process.

Portugal, together with other countries, submitted a number of very concrete proposals to the Working Group with regard to the restriction of the use of the veto. These proposals remain valid, realistic and worthy of consideration. We hope we will be able to find the necessary flexibility in our consideration of this matter, as we are receiving new positive signals from among the permanent members, indicating some degree of openness to considering restrictions on the use of this power.

With your commitment, Mr. President, we are confident that it will be possible to keep the subject of Security Council reform a high priority on the international agenda and to allow the United Nations general membership to move the process to the next step.

The United Nations urgently needs to adapt to the realities of the new century. Its role as a vital instrument for the political regulation of the globalization process and as an indispensable tool for organizing common efforts to face new challenges requires a set of new and constructive ideas to revitalize the Organization. We very much count on the Assembly's contribution to that aim.

Mr. Rodríguez Parrilla (Cuba) (*spoke in Spanish*): In recent years, this has been one of the agenda items on which the greatest number of delegations have participated. During the fifty-fifth session, we heard over 110 statements and the number is very high again this year. That is evidence of the priority importance attached to this item. The reasons for that are obvious. Security Council reform is undoubtedly the most delicate task in the reform of the United Nations as a whole, and its outcome will have the greatest impact on the future of this Organization.

We need a Security Council that is truly able to fulfil the important responsibilities assigned to it by the Charter. The power to decide on the application of coercive measures against States, including sanctions or even military action, requires impartiality, representativeness and legitimacy. The Security Council is not and will not be able to be effective with its current composition and working methods. It requires profound and urgent reform because it is neither democratic, nor equitable nor representative. It neither reflects the realities of the contemporary world nor represents the interests of the membership of the United Nations.

Let us be clear about this: the Security Council of today is efficient only in safeguarding the interests of the permanent members. The situation is even more disturbing when that same unrepresentative Council assumes increasingly broad functions and invades purviews that actually fall to other organs, mainly the Economic and Social Council and the General Assembly.

The number of States Members of the United Nations has grown almost fourfold since 1945. Nonetheless, it has been almost 35 years since the number of members of the Council increased from 11 to the present 15, in spite of the fact that, since that last expansion, 76 new Members have joined the United Nations. At the present time, the membership of the Council constitutes barely 8 per cent of the total membership of the Organization.

A Security Council with fewer than 26 members will not be able to redress the current imbalances. That is why a minimum of 11 new seats should be created. Although this figure would remain lower than that of similar organs in other international organizations, it would raise the membership of the Council to some 13 per cent of the total membership of the United Nations.

The Security Council must be expanded to include new permanent and non-permanent members. An increase in the number of non-permanent members alone would only heighten the current imbalance. As the Non-Aligned Movement has affirmed, if no agreement is achieved on other categories, for the time being only the number of non-permanent members should be increased.

Cuba is not in favour of the creation of other categories of membership in the Security Council. The new permanent and non-permanent seats to be created in the Council through reform must enjoy exactly the same prerogatives as the current ones, without the establishment of discriminatory criteria. In any broadening of the category of permanent membership, a minimum of two African, two Latin American and Caribbean and two developing Asian countries should be included. The fundamental objective of the expansion of that organ should be to correct the under-representation of the developing countries.

I should like to dwell on that point for a moment, because we sometimes have the impression that its importance is not grasped equally by all. How can the Security Council be expected to have a correct understanding of the profound underlying causes of conflicts, and therefore effectively deal with those conflicts, when two thirds of the world's population, living in the developing countries, are severely under-represented in the Council? How is it possible for the Council to fulfil its responsibility in the maintenance of international peace and security if it does not adequately represent those 4.5 billion persons who live in the third world, a billion of whom are hungry, three fifths of whom have no sanitation services, one third of whom have no drinking water, one quarter of whom have no housing and one fifth of whom have no basic health services? How do we explain the fact that Africa, whose conflicts occupy most of the items on the Council's agenda, does not have a single

representative among the permanent members of that organ?

The need for greater transparency in the work of the Council is urgent. In a world that is increasingly interdependent, the decisions taken by that organ have growing implications, direct and indirect, for all Member States. Not only is it necessary to increase the number of open meetings; those must also offer genuine opportunities to non-members of the Council to make useful contributions.

We have seen with increasing frequency the convening of open debates in the Council that, in the long run, have no impact on the resolutions and presidential statements that are adopted because the texts have been agreed in advance behind closed doors by its members.

The Council's rules of procedure urgently need to be amended and formally adopted. Fifty-five years after their establishment and 19 after their last amendment, the rules of procedure should no longer be provisional. The measures already adopted by the Council or applied in practice should be institutionalized and consolidated, instead of being ever dependent on the changing views of the month's President of that organ. This year, some progress has been made in the Open-ended Working Group in connection with so-called cluster II items. Let us hope that this will contribute to progress on remaining issues.

As for cluster I, in expressing frustration at the lack of progress on certain items, some delegations have said that nothing can be done while the permanent members continue to refuse to consider the least limitation in the use of the veto. Cuba does not share that approach. The Charter does not give permanent members absolute powers. On the contrary, Article 24 explicitly states that the Security Council acts on behalf of all Member States and that, in discharging its duties, the Security Council shall act in accordance with the purposes and principles of the United Nations. If these requirements are not met, the General Assembly has the right and the duty to act. It is therefore imperative that the General Assembly be revitalized and that it assume all its Charter powers as the sole organ of the United Nations in which all Member States participate, in which there is no place for hegemonism and in which the obsolete privilege of the veto does not exist.

The subject of the veto has a central place in the reform of the Council. Currently, the mere opposition of a permanent member can prevent the will of the other 188 Member States from being carried out. The veto is exercised or threatened only when there is disagreement with the majority, which is anti-democratic in its very essence. No one can seriously allege that, in the roughly 290 times that the veto has been formally used, it has been so in the interests of the international community, in accordance with Article 24 of the Charter.

Furthermore, the problem resides not only in formal and public uses of the veto, but also in the so-called silent vetoes, which are frequently exercised in the so-called informal consultations, where it is often enough for a permanent member to express disagreement in order for a course of action favoured by the majority to be altered. Until the final objective of eliminating the veto is achieved, it is necessary as a first step to amend the United Nations Charter to limit the veto to those actions that are taken under Chapter VII of the Charter.

Every new international crisis reminds us of the weaknesses of the Council and its practices. Many delegations have expressed their concern at the letter recently sent to the Security Council by one of its permanent members following the initiation of military action in Afghanistan, in which it was brazenly indicated that other countries might be attacked by that permanent member as a result of the events of 11 September.

There was no reply to the letter. How protected can we feel with a Security Council that does not react, even timidly, in the face of such threats, which are entirely contrary to the purposes and principles of the Charter? We cannot expect any real leadership from a body in which some of the permanent members practise double standards and selective policies, giving priority to narrow national interests instead of global interests.

The same Council that acted immediately as a result of the events of 11 September was not prepared even to consider many other terrorist acts that occurred in the past, such as the criminal sabotage in full flight of the Cubana de Aviación aircraft near Barbados, which cost the lives of 73 passengers and crew members.

It is the same Council that is completely paralysed in the face of the critical situation in the occupied Palestinian territories, as a result of which hundreds of innocent civilians have already died, owing to the objection by a single permanent member to taking measures.

It is the same Council that discusses and approves documents on small arms and light weapons, but does absolutely nothing about nuclear weapons. How can we be expected to view as legitimate norms of conduct dictated by the Security Council, when some of its members are responsible for the fact that there are more than 30,000 nuclear weapons in the world, directly threatening the international peace and security that the Council is supposed to defend?

While reaffirming our firm condemnation of the terrorist acts of 11 September, we hope that the speed and magnitude of the response to those events will extend to the other grave problems affecting us. That same day, just as many other regrettable events occur in the world every 24 hours, all year long, more than 33,000 children under the age of five died from diseases that are absolutely preventable, and almost 70,000 more destitute people joined the hungry masses in the world. There were no minutes of silence for them, no emergency meetings of the Security Council. No committee was established in record time to begin to take urgent measures to deal with those situations.

We hope that during this session we will be able honour the mandate approved by our heads of State and Government during the Millennium Summit, by intensifying work to achieve a truly comprehensive reform of the Security Council in all its aspects.

I conclude by expressing thanks to Mr. Harri Holkeri and to Ambassadors John de Saram and Thorsteinn Ingólfsson for the excellent way in which they led the Working Group during the fifty-fifth session, and by wishing every success to the new Bureau elected to guide the Group's work.

Programme of work

The President: I should like to inform members that the second item originally scheduled for this afternoon — agenda item 26, "Follow-up to the outcome of the special session on children" — for the purpose of considering draft resolution A/56/L.7, will be taken up at a later date to allow time for the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee to consider the programme budget implications pertaining to draft resolution A/56/L.7.

The General Assembly will be informed in due course of the date for which agenda item 26 will be rescheduled to consider draft resolution A/56/L.7.

The meeting rose at 6.10 p.m.